

Applicants : N. Rosen et al.  
U.S. Serial No. : 09/445,054  
Filing Date : March 27, 2000  
Page : 4

Amendments to the drawing figures:

Please replace all the drawings in this Application with the replacement drawing sheets, i.e., Figure 1, 1/48 to Figure 33, 48/48, submitted herewith.

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REMARKS

37 CFR § 1.312 AMENDMENTS AFTER ALLOWANCE

37 CFR §1.312 provides:

"No amendment may be made as a matter of right in an application after the mailing of the notice of allowance. Any amendment filed pursuant to this section must be filed before or with the payment of the issue fee, and may be entered on the recommendation of the primary examiner, approved by the Commissioner, without withdrawing the application from issue."

Manual of Patent Examining Procedure (MPEP) §714.16 provides:

The primary examiner can make "examiner's amendments and has authority to enter amendments submitted after Notice of Allowance of an application which embody merely the correction of formal matters in the specification or drawing... without forwarding to the supervisory patent examiner for approval."

Moreover, "where amendments... are shown (A) to be needed for proper disclosure or protection of the invention, and (B) to require no substantial amount of additional work on the part of the Office, they may be considered and, if proper, entry may be recommended by the primary examiner."

**I. AMENDMENT TO ADD SPECIFIC REFERENCE TO PRIORITY APPLICATIONS IN THE FIRST SENTENCE OF THE SPECIFICATION**

On September 28, 2004, the USPTO issued a Notice of Allowability for the above-identified application. In compliance with 35 U.S.C. § 120 and/or § 119, Applicants have hereinabove inserted a paragraph to the first

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sentence/paragraph of the specification claiming priority of International Application No. PCT/US98/08646, filed on June 4, 1998, which claims priority of U.S. Serial No. 60/048,736, filed June 5, 1997, now expired, and Great Britain Patent Application No. 9801231.3, filed January 21, 1998.

This Application is a 35 U.S.C. § 371 or national phase application of International Application No. PCT/US98/08646, filed June 4, 1998, now expired. See **Exhibit B** for a copy of the Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing under 35 U.S.C. § 371, including the Express Mail Certificate and Express Mail Label. See **Exhibit C** for a copy of the PCT Notification Concerning the Submission or Transmittal of Priority Documents. This Application properly claimed priority of the filing date of PCT/US98/08646, filed on June 4, 1998, now expired, which claims priority of U.S. Serial No. 60/048,736, filed on June 5, 1997, now expired, and Great Britain Patent Application No. 9801231.3, filed January 21, 1998. However, upon reviewing the file, Applicants have discovered that the first sentence/paragraph of specification which makes reference to the priority application(s) (may) have been inadvertently omitted.

Accordingly, Applicants hereby submit this Amendment to correct formal matters in the Specification of the above-identified application. Applicants maintain that the Amendment is needed for proper disclosure and/or protection of the invention, and require no substantial amount of additional work on the part of the Office. Applicants also maintain that there is no issue of new matter. Accordingly, Applicants respectfully request the entry of this Amendment.

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Applicants hereby submit the following documents, **Exhibits C-E**, in support of the Amendment after allowance under 37 CFR §1.312:

**Exhibit C:** A copy of the PCT Notification Concerning the Submission or Transmittal of Priority Documents, showing that a certified copy of the prior applications which the PCT/US98/08646 claims priority was timely received by the International Bureau.

**Exhibit D:** A copy of the Combined Declaration for Patent Application and Power of Attorney (hereinafter as "Declaration") executed by all the named inventors, including March 21, 2000 First Class Mail Certificate and Fee Transmittal for Late Declaration Fee. On the first page of the Declaration, Applicants indicated that this Application was filed as PCT International Application Number PCT/US98/08646, on June 4, 1998. On page 2 of the Declaration, Applicants claimed benefit of U.S. Serial No. 60/048,736, filed June 5, 1997, under 35 U.S.C. § 120.

**Exhibit E:** A copy of the supplemental Declaration and Power of Attorney (hereinafter as "Supplemental Declaration"), in which Applicants claim priority of PCT/US98/08646, on June 4, 1998, Great Britain Patent Application No. 9801231.3, January 21, 1998, and U.S. Serial No. 60/048,736, filed June 5.

Based on above-mentioned supportive documents (attached herein as **Exhibits C-E**), Applicants respectfully request that the new paragraph claiming priority of International Application No. PCT/US98/08646, filed on June 4, 1998, U.S. Serial No. 60/048,736, filed June 5, 1997, now expired, and Great Britain Patent Application No. 9801231.3, filed January 21, 1998 be

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inserted into Page 1, Line 1 or first sentence of the Specification of the above-identified Application.

Accordingly, Applicants respectfully request that the Examiner recommend the entry of this Amendment and that the Commissioner approve the entry of this amendment without withdrawing the Application from issue. Upon entry of this Amendment, the following paragraph will be entered into or added to the Application:

This application claims priority of International Application No. PCT/US98/08646, filed on June 4, 1998, which claims priority of U.S. Serial No. 60/048,736, filed June 5, 1997, now expired, and Great Britain Patent Application No. 9801231.3, filed January 21, 1998, the contents of which are incorporated herein in their entireties by reference.

## II. CORRECTED FIGURES

In Item No. 6 of the September 28, 2004 Notice of Allowability, the Examiner stated that "corrected drawings must be submitted... including changes required by the Notice of Draftsperson's Patent Drawing Review... attached to Paper No./Mail Date 10/10/01." During the December 21, 2004 telephone interview with the Examiner, the Examiner has indicated that the "Paper No./Mail Date" of the Office Action to which the Notice of Draftsperson's Patent Drawing Review was attached should be "July 2, 2001". A copy of the March 27, 2000 Notice of Draftsperson's Patent Drawing Review is attached herein as **Exhibit F**.

The Draftsperson objected to the Drawings for the following reasons:

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- a) the left margins on several of the drawings were not acceptable;
- b) the lines, numbers and letters of the drawings were not uniformly thick and well defined;
- c) the numbers and reference characters were not plain and legible; and
- d) the figure legends were poor.

In response, Applicants respectfully maintain that new formal drawings in response to the March 27, 2000 Notice of Draftsperson's Patent Drawing Review was previously submitted to the USPTO on August 2, 2001. A copy of the August 2, 2001 Submission of Corrected Drawings, including the August 2, 2001 Certificate of Mailing, is attached herein as **Exhibit G**. To expedite the issuance of this Application as a U.S. Letters Patent, Applicants also submit a copy of the new formal drawings, i.e., Figure 1, Sheet 1/48 to Figure 33, Sheet 48/48, which complies with USPTO drawing requirements and marked with "Replacement Sheet", as **Exhibit H**, to replace all the drawings in this Application.

### **III. FEE(S) TRANSMITTAL FOR PAYMENT OF ISSUE FEE**

This Communication is submitted in response to September 28, 2004 Notice of Allowance and Fee(s) Due issued by the United States Patent and Trademark Office in connection with the above-identified application.

Applicants hereby submit a check in the amount of SEVEN HUNDRED DOLLARS (\$700.00) for the Issue Fee, a check in the amount of THIRTY DOLLARS (\$30.00) for 10 copies of the published patent and the Fee(s) Transmittal. A copy of the Fee(s) Transmittal is attached herein as **Exhibit A**. Applicants

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respectfully request that the Commissioner issue and publish  
this Application as United States Letters patent.

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Conclusion

Applicants respectfully request that the Examiner insert the above-mentioned, underlined paragraph into the application and enter the new formal drawings into this Application.

If a telephone interview would be of assistance in advancing prosecution of the subject application, Applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

No fee other than the SEVEN HUNDRED DOLLARS (\$700.00) Issue Fee and the THIRTY DOLLARS (\$30.00) fee for 10 copies of the published patent is deemed necessary in connection with the filing of this Amendment/Communication. However, if any additional fee is required, authorization is given to charge the amount of any such fee to Deposit Account No. 50-1891.

Respectfully submitted,

Albert Wai-Kit Chan

Albert Wai-Kit Chan  
Registration No. 36,479  
Attorney for Applicants  
Law Offices of  
Albert Wai-Kit Chan, LLC  
World Plaza, Suite 604  
141-07 20<sup>th</sup> Avenue  
Whitestone, New York 11357  
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Fax: (718) 357-8615  
E-mail: kitchanlaw@aol.com

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

INTERNATIONAL APPLICATION NO.  
PCT/US98/08646

INTERNATIONAL FILING DATE  
04 June 1998

PRIORITY DATE CLAIMED  
05 June 1997

TITLE OF INVENTION

A METHOD OF TREATING CANCER

APPLICANT(S) FOR DO/EO/US

Neal Roscn, Laura Sepp-Lorenzino, Mark M. Moasser, Allen I. Oliff, Jackson B. Gibbs, Nancy Kohl, Samuel L. Graham and George C. Prendergast

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(I).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (UNSIGNED)
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 16 below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.  
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☐ Other items or information:

**EXPRESS MAIL CERTIFICATE**

DATE OF DEPOSIT December 1, 1999  
EXPRESS MAIL NO. EM569342140US

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS  
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MAILED BY [Signature]  
DATE Dec. 1, 1999

DOCKETED  
DEC 07 1999  
BARBARA REILLY

File

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UNITED STATES POSTAL SERVICE



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RANNEY

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NJ 07065-0907

Case 19962VP

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# PATENT COOPERATION TREATY

From the INTERNATIONAL BUREAU

PCT

## NOTIFICATION CONCERNING SUBMISSION OR TRANSMITTAL OF PRIORITY DOCUMENT

(PCT Administrative Instructions, Section 411)

To:

MERCK & CO., INC.  
126 East Lincoln Avenue  
Rahway, NJ 07065  
ETATS-UNIS D'AMERIQUE

RECEIVED

JUL 9 1998

LINDA ZEMER

Date of mailing (day/month/year) 23 July 1998 (23.07.98)	
Applicant's or agent's file reference PCT 19962Y	IMPORTANT NOTIFICATION
International application No. PCT/US98/08646	International filing date (day/month/year) 04 June 1998 (04.06.98)
International publication date (day/month/year) Not yet published	Priority date (day/month/year) 05 June 1997 (05.06.97)
Applicant MERCK & CO., INC. et al	

1. The applicant is hereby notified of the date of receipt (except where the letters "NR" appear in the right-hand column) by the International Bureau of the priority document(s) relating to the earlier application(s) indicated below. Unless otherwise indicated by an asterisk appearing next to a date of receipt, or by the letters "NR", in the right-hand column, the priority document concerned was submitted or transmitted to the International Bureau in compliance with Rule 17.1(a) or (b).
2. This updates and replaces any previously issued notification concerning submission or transmittal of priority documents.
3. An asterisk(\*) appearing next to a date of receipt, in the right-hand column, denotes a priority document submitted or transmitted to the International Bureau but not in compliance with Rule 17.1(a) or (b). In such a case, the attention of the applicant is directed to Rule 17.1(c) which provides that no designated Office may disregard the priority claim concerned before giving the applicant an opportunity, upon entry into the national phase, to furnish the priority document within a time limit which is reasonable under the circumstances.
4. The letters "NR" appearing in the right-hand column denote a priority document which was not received by the International Bureau or which the applicant did not request the receiving Office to prepare and transmit to the International Bureau, as provided by Rule 17.1(a) or (b), respectively. In such a case, the attention of the applicant is directed to Rule 17.1(c) which provides that no designated Office may disregard the priority claim concerned before giving the applicant an opportunity, upon entry into the national phase, to furnish the priority document within a time limit which is reasonable under the circumstances.

Priority date	Priority application No.	Country or regional Office or PCT receiving Office	Date of receipt of priority document
05 June 1997 (05.06.97)	60/048,736	US	17 July 1998 (17.07.98)
21 Janu 1998 (21.01.98)	9801231/3	GB	02 July 1998 (02.07.98)

<p>The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland</p> <p>Facsimile No. (41-22) 740.14.35</p>	<p>Authorized officer</p> <p>Marc Salzman</p> <p>Telephone No. (41-22) 338.83.38</p>
---	--

**COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY**  
(Includes Reference to PCT International Applications)

ATTORNEY'S DOCKET NUMBER

19962YP

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

A METHOD OF TREATING CANCER

the specification of which (check only one item below):

☐ is attached hereto.

☐ was filed as United States application

Serial No \_\_\_\_\_

on \_\_\_\_\_

and was amended

on \_\_\_\_\_

(if applicable).

☒ was filed as PCT international application

Number PCT/US98/08646

on 4-Jun-1998

and was amended under PCT Article 19

on \_\_\_\_\_

(if applicable).

☐ is being filed as PCT international application, Attorney Docket No. \_\_\_\_\_

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

**PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. 119:**

COUNTRY (if PCT, indicate "PCT")	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 35 USC 119
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

**COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY (Continued)**  
(Includes Reference to PCT International Applications)

ATTORNEY'S DOCKET NUMBER  
19962YP

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

**PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. 120:**

U.S. APPLICATIONS			STATUS (Check one)		
U.S. APPLICATION NUMBER	U.S. FILING DATE	PATENTED	PENDING	ABANDONED	
60/048,736	5-Jun-1997			X	

PCT APPLICATIONS DESIGNATING THE U.S.			STATUS (Check one)		
PCT APPLICATION NO.	PCT FILING DATE	U.S. SERIAL NUMBERS ASSIGNED (if any)	PATENTED	PENDING	ABANDONED

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (List name and registration number)

David A. Muthard  
Regis. No. 35,297

Mark R. Daniel  
Regis. No. 31,913

Send Correspondence to:

DAVID A. MUTHARD  
Merck & Co., Inc.  
P.O. Box 2000, 126 East Lincoln Avenue  
Rahway, New Jersey 07065

Direct Telephone Calls to:  
(name and telephone number)  
(732) 594-3903

201	FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE & ZIP CODE/COUNTRY
202	FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE & ZIP CODE/COUNTRY
203	FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE & ZIP CODE/COUNTRY

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application of any patent issuing thereon.

SIGNATURE OF INVENTOR 201	SIGNATURE OF INVENTOR 202	SIGNATURE OF INVENTOR 203
DATE 3/2/00	DATE March 7, 2000	DATE 3/2/2000

COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY (Continued) (Includes Reference to PCT International Applications)				ATTORNEY'S DOCKET NUMBER 19962YP
<b>Continuation of Inventor Information</b>				
204	FULL NAME OF INVENTOR	FAMILY NAME Oliff	FIRST GIVEN NAME Allen	SECOND GIVEN NAME I.
	RESIDENCE & CITIZENSHIP	CITY Gwynedd Valley	STATE OR FOREIGN COUNTRY Pennsylvania	COUNTRY OF CITIZENSHIP US
	POST OFFICE ADDRESS	POST OFFICE ADDRESS 126 E. Lincoln Avenue	CITY Rahway	STATE & ZIP CODE/COUNTRY New Jersey 07065
205	FULL NAME OF INVENTOR	FAMILY NAME Gibbs	FIRST GIVEN NAME Jackson	SECOND GIVEN NAME B.
	RESIDENCE & CITIZENSHIP	CITY Chalfont	STATE OR FOREIGN COUNTRY Pennsylvania	COUNTRY OF CITIZENSHIP US
	POST OFFICE ADDRESS	POST OFFICE ADDRESS 126 E. Lincoln Avenue	CITY Rahway	STATE & ZIP CODE/COUNTRY New Jersey 07065
206	FULL NAME OF INVENTOR	FAMILY NAME Kohl	FIRST GIVEN NAME Nancy	SECOND GIVEN NAME
	RESIDENCE & CITIZENSHIP	CITY Wyndmoor	STATE OR FOREIGN COUNTRY Pennsylvania	COUNTRY OF CITIZENSHIP US
	POST OFFICE ADDRESS	POST OFFICE ADDRESS 126 E. Lincoln Avenue	CITY Rahway	STATE & ZIP CODE/COUNTRY New Jersey 07065
207	FULL NAME OF INVENTOR	FAMILY NAME Graham	FIRST GIVEN NAME Samuel	SECOND GIVEN NAME L.
	RESIDENCE & CITIZENSHIP	CITY Schwenksville	STATE OR FOREIGN COUNTRY Pennsylvania	COUNTRY OF CITIZENSHIP US
	POST OFFICE ADDRESS	POST OFFICE ADDRESS 126 E. Lincoln Avenue	CITY New Jersey	STATE & ZIP CODE/COUNTRY New Jersey 07065
208	FULL NAME OF INVENTOR	FAMILY NAME Prendergast	FIRST GIVEN NAME George	SECOND GIVEN NAME C.
	RESIDENCE & CITIZENSHIP	CITY Bala Cynwyd	STATE OR FOREIGN COUNTRY Pennsylvania	COUNTRY OF CITIZENSHIP US
	POST OFFICE ADDRESS	POST OFFICE ADDRESS 126 E. Lincoln Avenue	CITY Rahway	STATE & ZIP CODE/COUNTRY New Jersey 07065
209	FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE & ZIP CODE/COUNTRY
<p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.</p>				
SIGNATURE OF INVENTOR 204 <i>Allen Oliff</i>		SIGNATURE OF INVENTOR 205 <i>Jackson Gibbs</i>		SIGNATURE OF INVENTOR 206 <i>Nancy E. Kohl</i>
DATE Jan. 7, 2000		DATE 15 March 2000		DATE March 7, 2000
SIGNATURE OF INVENTOR 207 <i>Samuel Graham</i>		SIGNATURE OF INVENTOR 208 <i>George Prendergast</i>		SIGNATURE OF INVENTOR 209
DATE 3/8/2000		DATE 1/11/2000		DATE


Application Number: 09/445,054  
Filing Date: 12/01/1999  
First Named Inventor: Neal Rosen, et al.  
Group Art Unit: \_\_\_\_\_  
Examiner Name: \_\_\_\_\_  
Attorney Docket Number: 19962YP

**FIRST CLASS MAIL CERTIFICATE**

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231, ON THE DATE APPEARING BELOW.

**MERCK & CO., INC.**

MAILED BY



DATE

3/21/00

# FEE TRANSMITTAL

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

\$130

Complete if Known

Application Number 09/445,054  
Filing Date December 1, 1999  
First Named Inventor Neal Rosen, et al.  
Examiner Name  
Group Art Unit  
Attorney Docket Number 19962YP

## METHOD OF PAYMENT (Check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 13-2755  
Deposit Account Name Merck & Co., Inc.

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

2. ☐ Payment Enclosed:

☐ Check ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	690	Utility filing fee	
106	310	Design filing fee	
108	690	Reissue filing fee	
114	150	Provisional filing fee	

SUBTOTAL(1) \$0

### 2. EXTRA CLAIM FEES

	Extra	Fee from below	Fee Paid
Total Claims	20	0 x \$18 =	0
Independent Claims	3	0 x \$78 =	0
Multiple Dependent Claims		x \$260 =	

\*\*or number previously paid, if greater; For Reissues, see below

Large Fee Code	Entity Fee (\$)	Fee Description
103	18	Claims in excess of 20
102	78	Independent claims in excess of 3
104	260	Multiple dependent claims
109	78	**Reissue independent claims over original patent
110	18	**Reissue claims in excess of 20 and over original patent

SUBTOTAL(2) \$0

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	Surcharge - late filing fee or oath	130
147	2,520	For filing a request for reexamination	
115	110	Extension for reply within first month	
116	380	Extension for reply within second month	
117	870	Extension for reply within third month	
118	1,360	Extension for reply within fourth month	
128	1,850	Extension for reply within fifth month	
119	300	Notice of Appeal	
120	300	Filing a brief in support of an appeal	
121	260	Request for oral hearing	
140	110	Petition to revive - unavoidable	
141	1,210	Petition to revive - unintentional	
142	1,210	Utility issue fee (or reissue)	
143	430	Design issue fee	
122	130	Petitions to the Commissioner	
123	50	Petitions related to provisional applications	
126	240	Submission of Information Disclosure Statement	
581	40	Recording each patent assignment per property (times number of properties)	
146	690	Filing a submission after final rejection (37 CFR 1.129(a))	
149	690	For each additional invention to be examined (37 CFR 1.129(b))	

Other fee (specify)

Other fee (specify)

SUBTOTAL(3) \$130

## SUBMITTED BY

Typed or Printed Name David A. Muthard

Signature

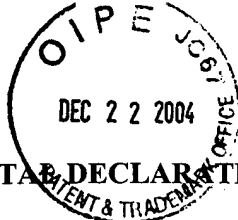
Date

3/21/00

## Complete (if applicable)

Reg. Number 35,297

Deposit Account User ID



**SUPPLEMENTAL DECLARATION AND POWER OF ATTORNEY**

As a below-named inventor, I hereby declare that:

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**A METHOD OF TREATING CANCER**

the specification of which  
(check one)

\_\_\_\_\_ is attached hereto or  
  x   was filed on March 27, 2000, as U.S. Serial No. 09/445,054 and  
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<u>60/048,736</u>	<u>June 5, 1997</u>	<u>expired</u>
_____	_____	_____
_____	_____	_____

And I hereby appoint:

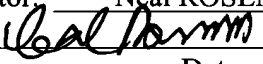
Albert Wai-Kit Chan (Reg. No. 36,479) and Mark Elkins (Reg. No. 42,510)

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World Plaza, Suite 604  
141-07 20<sup>th</sup> Avenue  
Whitestone, NY 11357  
Tel: (718) 357-8836  
Fax: (718) 357-8615

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name first joint inventor: Neal ROSEN  
Inventor's signature:   
Citizenship: USA Date of Signature: 11/15/04  
Residence: 171 Jones Road, Englewood, CO 80631  
Post Office Address: same as the residence address

Full name second joint inventor: Laura SEPP-LORENZINO  
Inventor's signature: \_\_\_\_\_  
Citizenship: \_\_\_\_\_ Date of Signature: \_\_\_\_\_  
Residence: \_\_\_\_\_  
Post Office Address: same as the residence address

Full name third joint inventor: Mark MOASSER  
Inventor's signature: \_\_\_\_\_  
Citizenship: \_\_\_\_\_ Date of Signature: \_\_\_\_\_  
Residence: \_\_\_\_\_  
Post Office Address: same as the residence address

Full name forth joint inventor: Allen OLIFF  
Inventor's signature: \_\_\_\_\_  
Citizenship: \_\_\_\_\_ Date of Signature: \_\_\_\_\_  
Residence: \_\_\_\_\_  
Post Office Address: same as the residence address

Full name fifth joint inventor: Jackson GIBBS  
Inventor's signature : \_\_\_\_\_  
Citizenship: \_\_\_\_\_ Date of Signature: \_\_\_\_\_  
Residence: \_\_\_\_\_  
Post Office Address: same as the residence address

Full name sixth joint inventor: Nancy KOHL  
Inventor's signature : \_\_\_\_\_  
Citizenship: \_\_\_\_\_ Date of Signature: \_\_\_\_\_  
Residence: \_\_\_\_\_  
Post Office Address: same as the residence address

Full name seventh joint inventor: Samuel GRAHAM  
Inventor's signature : \_\_\_\_\_  
Citizenship: \_\_\_\_\_ Date of Signature: \_\_\_\_\_  
Residence: \_\_\_\_\_  
Post Office Address: same as the residence address

Full name eighth joint inventor: George PRENDERGAST  
Inventor's signature : \_\_\_\_\_  
Citizenship: \_\_\_\_\_ Date of Signature: \_\_\_\_\_  
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## A METHOD OF TREATING CANCER

the specification of which  
(check one)

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<u>60/048,736</u>	<u>June 5, 1997</u>	<u>expired</u>
_____	_____	_____
_____	_____	_____

And I hereby appoint:

Albert Wai-Kit Chan (Reg. No. 36,479) and Mark Elkins (Reg. No. 42,510)

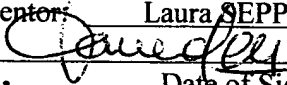
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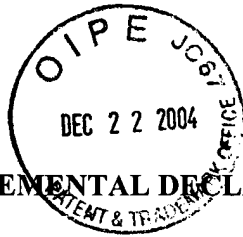
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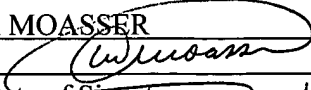
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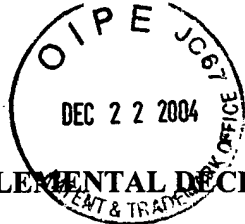
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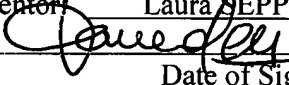
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Residence: \_\_\_\_\_  
Post Office Address: same as the residence address

Full name forth joint inventor: Allen I. OLIFF

Inventor's signature : Allen I. Oliff

Citizenship: U.S. Date of Signature: Nov. 12, 2004

Residence: 1412 Florence Drive, Gwynedd Valley, Pennsylvania 19437 U.S.

Post Office Address: same as the residence address

Full name fifth joint inventor: Jackson B. GIBBS

Inventor's signature : Jackson B Gibbs

Citizenship: U.S. Date of Signature: 13 Dec 2004

Residence: 117 Barberry Court, Chalfont, Pennsylvania 18914, U.S.

Post Office Address: same as the residence address

Full name sixth joint inventor: Nancy E. KOHL

Inventor's signature : Nancy E. Kohl

Citizenship: U.S. Date of Signature: Dec. 12, 2004 ✓

Residence: 124m Brook Street, Wellesley, Massachusetts 02482 U.S.

Post Office Address: same as the residence address

Full name seventh joint inventor: Samuel L. GRAHAM

Inventor's signature : Samuel L. Graham

Citizenship: U.S. Date of Signature: 2 DEC 04

Residence: 325 Widlund Drive, Schwenksville, Pennsylvania 19473 U.S.

Post Office Address: same as the residence address

Full name eighth joint inventor: George PRENDERGAST

Inventor's signature : George Prendergast

Citizenship: U.S. Date of Signature: 16 Nov 2004

Residence: 414 Bryn Mawr Avenue, Bala-Cynwyd, Pennsylvania 19004 U.S.

Post Office Address: same as the residence address

# NOTICE OF DRAFTSPERSON'S PATENT DRAWING REVIEW

The drawing(s) filed (insert date) 3-27-00 are:

A. ☐ approved by the Draftsperson under 37 CFR 1.84 or 1.152.

B. ☒ objected to by the Draftsperson under 37 CFR 1.84 or 1.152 for the reasons indicated below. The Examiner will require submission of new, corrected drawings when necessary. Corrected drawing must be submitted according to the instructions on the back of this notice.

## 1. DRAWINGS. 37 CFR 1.84(a): Acceptable categories of drawings: Black ink. Color.

Color drawings are not acceptable until petition is granted.

Fig(s) \_\_\_\_\_

Pencil and non black ink not permitted. Fig(s) \_\_\_\_\_

## 2. PHOTOGRAPHS. 37 CFR 1.84 (b)

1 full-tone set is required. Fig(s) \_\_\_\_\_

Photographs not properly mounted (must use bristol board or photographic double-weight paper). Fig(s) \_\_\_\_\_

Poor quality (half-tone). Fig(s) \_\_\_\_\_

## 3. TYPE OF PAPER. 37 CFR 1.84(e)

Paper not flexible, strong, white, and durable.

Fig(s) \_\_\_\_\_

Erasures, alterations, overwritings, interlineations, folds, copy machine marks not accepted. Fig(s) \_\_\_\_\_

Mylar, velum paper is not acceptable (too thin).

Fig(s) \_\_\_\_\_

## 4. SIZE OF PAPER. 37 CFR 1.84(f): Acceptable sizes:

21.0 cm by 29.7 cm (DIN size A4)

21.6 cm by 27.9 cm (8 1/2 x 11 inches)

All drawing sheets not the same size.

Sheet(s) \_\_\_\_\_

Drawings sheets not an acceptable size. Fig(s) \_\_\_\_\_

## 5. MARGINS. 37 CFR 1.84(g): Acceptable margins:

Top 2.5 cm Left 2.5cm Right 1.5 cm Bottom 1.0 cm

SIZE: A4 Size

Top 2.5 cm Left 2.5 cm Right 1.5 cm Bottom 1.0 cm

SIZE: 8 1/2 x 11

Margins not acceptable. Fig(s) \_\_\_\_\_

Top (T) \_\_\_\_\_ Left (L) \_\_\_\_\_  
Right (R) \_\_\_\_\_ Bottom (B) \_\_\_\_\_

## 6. VIEWS. 37 CFR 1.84(h)

REMINDER: Specification may require revision to correspond to drawing changes.

Partial views. 37 CFR 1.84(h)(2)

Brackets needed to show figure as one entity.

Fig(s) \_\_\_\_\_

Views not labeled separately or properly.

Fig(s) \_\_\_\_\_

Enlarged view not labeled separately or properly.

Fig(s) \_\_\_\_\_

## 7. SECTIONAL VIEWS. 37 CFR 1.84 (h)(3)

Hatching not indicated for sectional portions of an object.

Fig(s) \_\_\_\_\_

Sectional designation should be noted with Arabic or

Roman numbers. Fig(s) \_\_\_\_\_

## 8. ARRANGEMENT OF VIEWS. 37 CFR 1.84(i)

Words do not appear on a horizontal, left-to-right fashion when page is either upright or turned so that the top becomes the right side, except for graphs. Fig(s) \_\_\_\_\_

## 9. SCALE. 37 CFR 1.84(k)

Scale not large enough to show mechanism without crowding when drawing is reduced in size to two-thirds in reproduction.

Fig(s) \_\_\_\_\_

## 10. CHARACTER OF LINES, NUMBERS, & LETTERS.

37 CFR 1.84(i)

Lines, numbers & letters not uniformly thick and well defined, clean, durable, and black (poor line quality).

Fig(s) 1-33

## 11. SHADING. 37 CFR 1.84(m)

Solid black areas pale. Fig(s) \_\_\_\_\_

Solid black shading not permitted. Fig(s) \_\_\_\_\_

Shade lines, pale, rough and blurred. Fig(s) \_\_\_\_\_

## 12. NUMBERS, LETTERS, & REFERENCE CHARACTERS.

37 CFR 1.84(p)

Numbers and reference characters not plain and legible.

Fig(s) 1-33

Figure legends are poor. Fig(s) 1-33

Numbers and reference characters not oriented in the same direction as the view. 37 CFR 1.84(p)(1)

Fig(s) \_\_\_\_\_

English alphabet not used. 37 CFR 1.84(p)(2)

Figs \_\_\_\_\_

Numbers, letters and reference characters must be at least .32cm (1/8 inch) in height. 37 CFR 1.84(p)(3)

Fig(s) \_\_\_\_\_

## 13. LEAD LINES. 37 CFR 1.84(q)

Lead lines cross each other. Fig(s) \_\_\_\_\_

Lead lines missing. Fig(s) \_\_\_\_\_

## 14. NUMBERING OF SHEETS OF DRAWINGS. 37 CFR 1.84(t)

Sheets not numbered consecutively, and in Arabic numerals beginning with number 1. Sheet(s) \_\_\_\_\_

## 15. NUMBERING OF VIEWS. 37 CFR 1.84(u)

Views not numbered consecutively, and in Arabic numerals, beginning with number 1. Fig(s) \_\_\_\_\_

## 16. CORRECTIONS. 37 CFR 1.84(w)

Corrections not made from prior PTO-948 dated \_\_\_\_\_

## 17. DESIGN DRAWINGS. 37 CFR-1.152

Surface shading shown not appropriate. Fig(s) \_\_\_\_\_

Solid black shading not used for color contrast.

Fig(s) \_\_\_\_\_

COMMENTS

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: N. Rosen et al.

Serial No.: 09/445,054 Case No.: 19962YP

Filed: March 27, 2000

For: A METHOD OF TREATING CANCER

Art Unit:  
1614

Examiner:  
J. Chase

The Honorable Assistant Commissioner of Patents and Trademarks  
Washington, D.C. 20231

DOCKETED  
AUG 02 2001  
BARBARA REN

SUBMISSION OF CORRECTED DRAWINGS

Sir:

These remarks in response to the Official Action that was mailed on July 2, 2001 and which has an unextended period of response that expires on August 2, 2001.

---

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: ASSISTANT COMMISSIONER OF PATENTS AND TRADEMARKS, WASHINGTON, D.C. 20231, ON THE DATE APPEARING BELOW.

MERCK & CO., INC.

BY: 

DATE: 8/2/01

**REMARKS**

The drawings filed with the instant application, which is a National Phase application under 35 U.S.C. 371, have been reviewed by the Draftsperson and he has objected to the drawings for the following reasons:

- a) the left margins on several of the drawings were not acceptable;
- b) the lines, numbers and letters of the drawings were not uniformly thick and well defined;
- c) the numbers and reference characters were not plain and legible;
- d) and the figure legends were poor.

Applicants respectfully thank Examiner Chase for the telephonic discussions with Applicants' Attorney Muthard regarding addressing these objections. Applicants pointed out that replacement formal drawings were submitted by the Applicants to the U.S. Receiving Office of the PCT after the original PCT International Application was filed and in response to a Notice from the PCT to submit Missing Parts. Applicants sought clarification as to whether the drawings which the Examiner/Draftsperson objected to were the informal drawing filed with the original International Application, or were the subsequently submitted formal drawings that had been prepared by a professional draftsperson to comply with both the PCT and U.S. PTO requirements. The Examiner/Draftsperson suggested that to be fully responsive Applicants should submit a copy of the formal drawings along with copies of the papers accompanied the formal drawings sent to the U.S. Receiving Office during the international phase.

Applicants herewith submit a copy of the formal drawings for the above captioned application along with a copy of the letter to the U.S. Receiving Office for the PCT regarding the submission of the corrected drawings on a timely basis to the Receiving Office

Applicants respectfully request that the Examiner/Draftsperson's objections to the drawing for the instant application be withdrawn in light of the new formal drawings. If a telephonic communication with Applicants' representative will aid in the advancement of the prosecution of this application, please telephone the representative indicated below.

Respectfully submitted,

By: 

David A. Muthard

Reg. No. 35,297

Attorney for Applicant(s)

MERCK & CO., INC.

P.O. Box 2000

Rahway, New Jersey 07065-0907

(908) 594-3903

Date: August 2, 2001

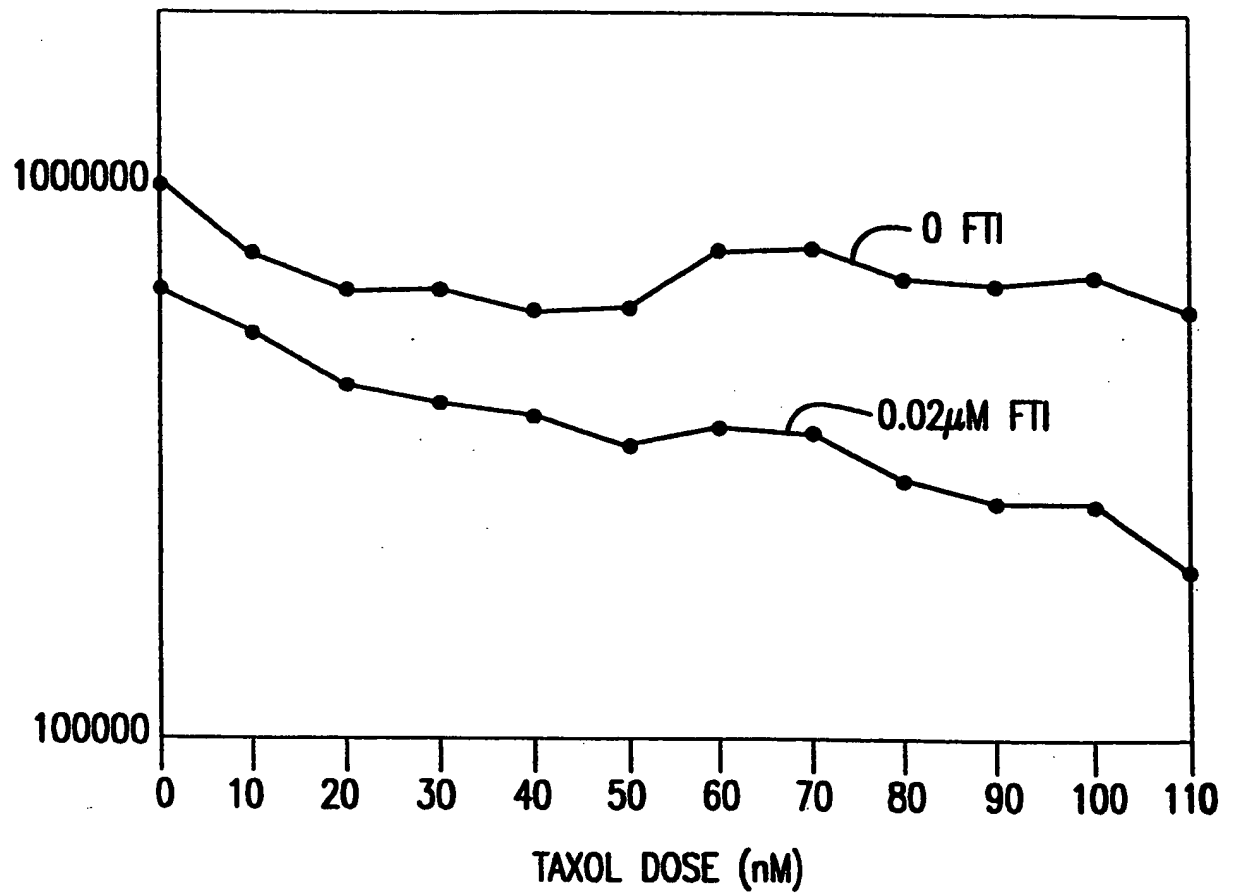


FIG.1

**Title: A METHOD OF TREATING CANCER**

**Inventors: Neal Rosen, Laura Sepp-Lorenzino, Mark  
M. Moasser, Allen I. Oliff, Jackson B. Gibbs, Nancy  
Kohl, Samuel L. Graham and George Prendergast**

**Serial No. 09/445,054**

**Case No.: Merck 19962YP**

**Sheet 1 of 48**

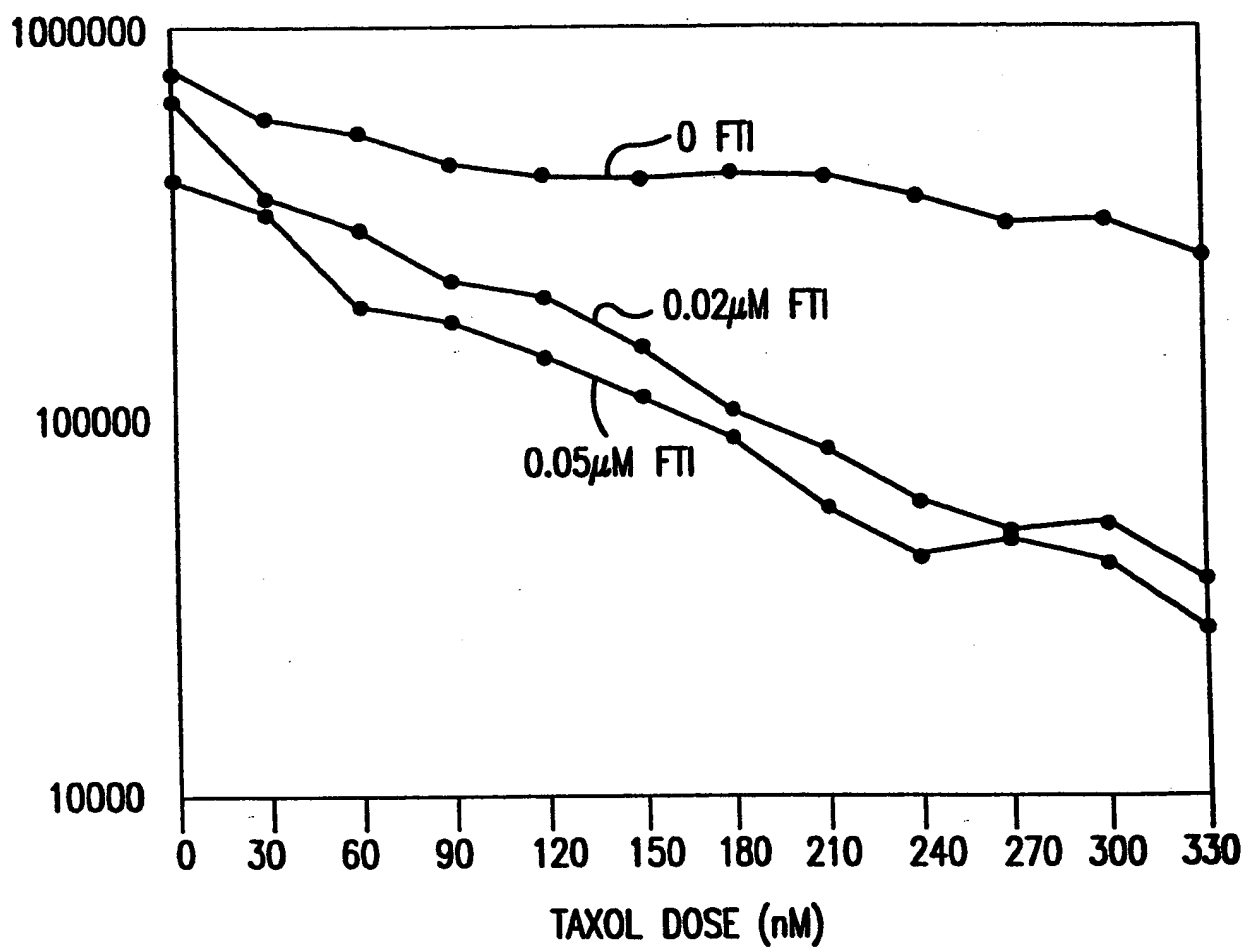


FIG.2

**Title: A METHOD OF TREATING CANCER**

**Inventors: Neal Rosen, Laura Sepp-Lorenzino, Mark  
M. Moasser, Allen I. Oliff, Jackson B. Gibbs, Nancy  
Kohl, Samuel L. Graham and George Prendergast**

**Serial No. 09/445,054**

**Case No.: Merck 19962YP**

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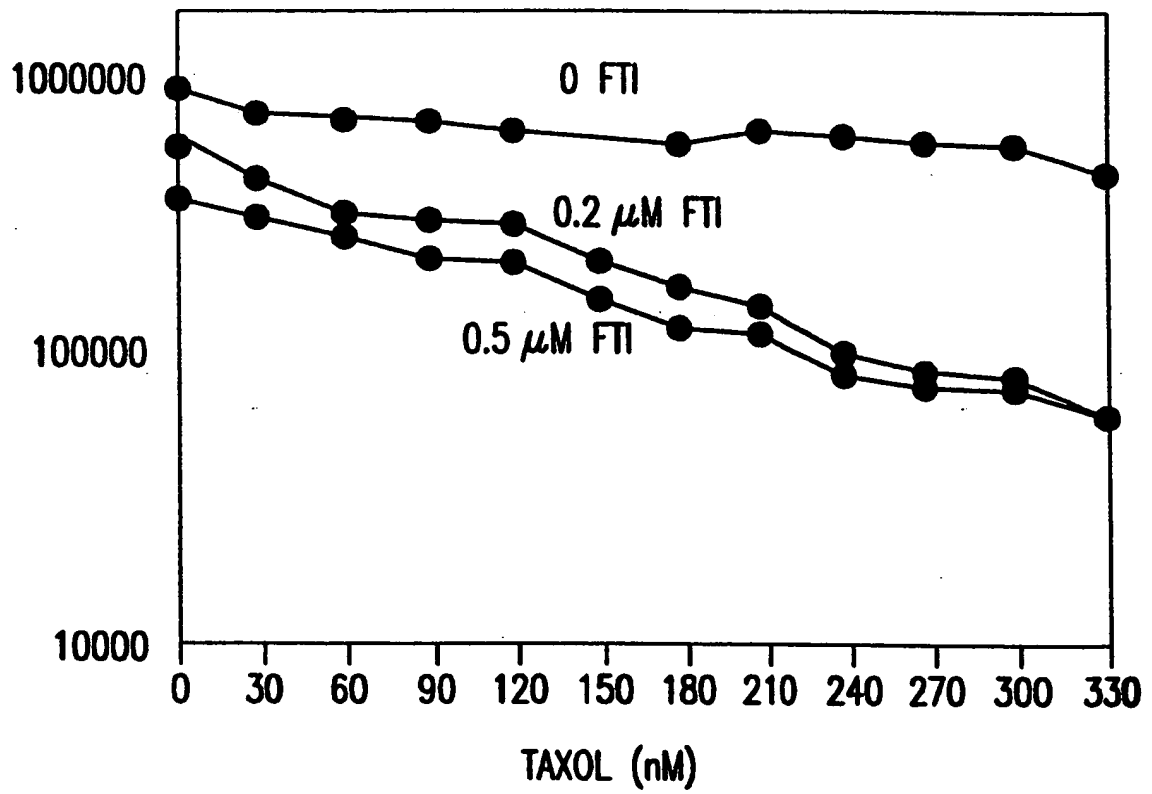


FIG.2A

**Title: A METHOD OF TREATING CANCER**

**Inventors: Neal Rosen, Laura Sepp-Lorenzino, Mark  
M. Moasser, Allen I. Oliff, Jackson B. Gibbs, Nancy  
Kohl, Samuel L. Graham and George Prendergast**

**Serial No. 09/445,054**

**Case No.: Merck 19962YP**

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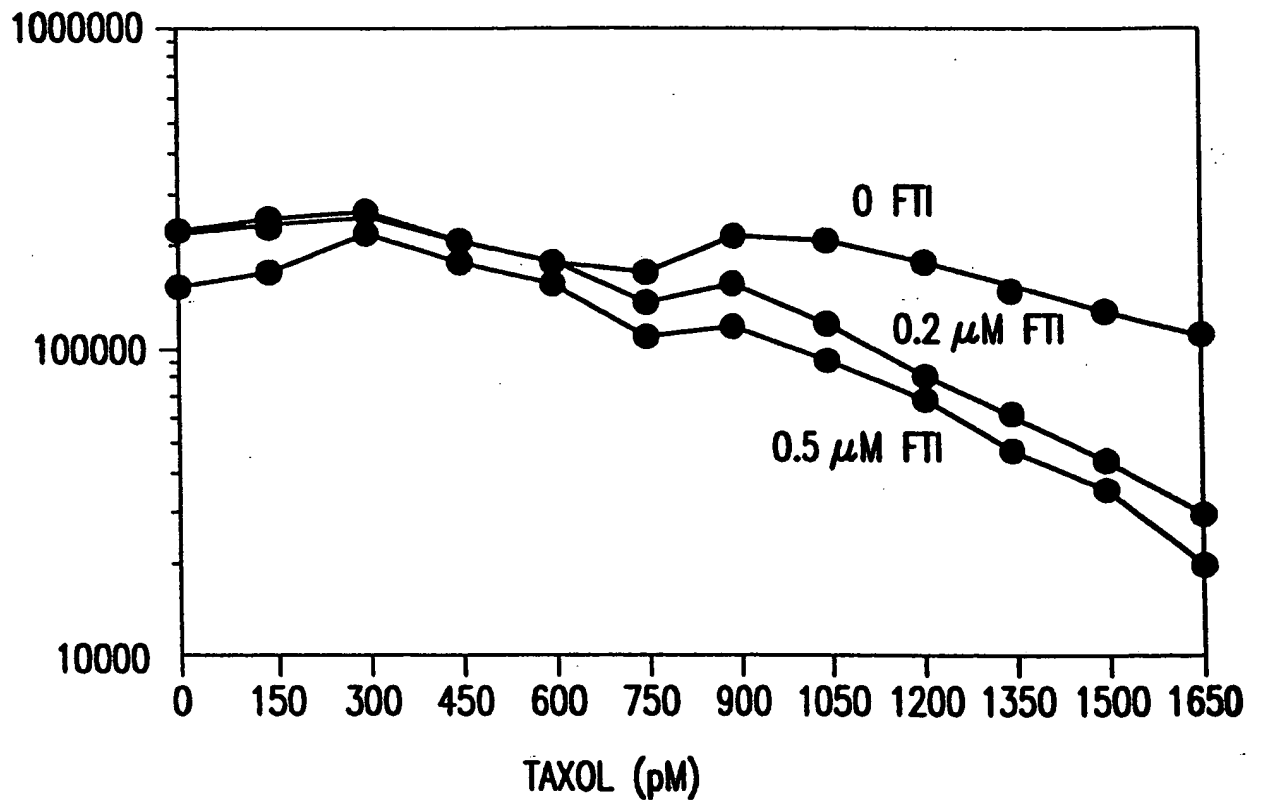


FIG.2B

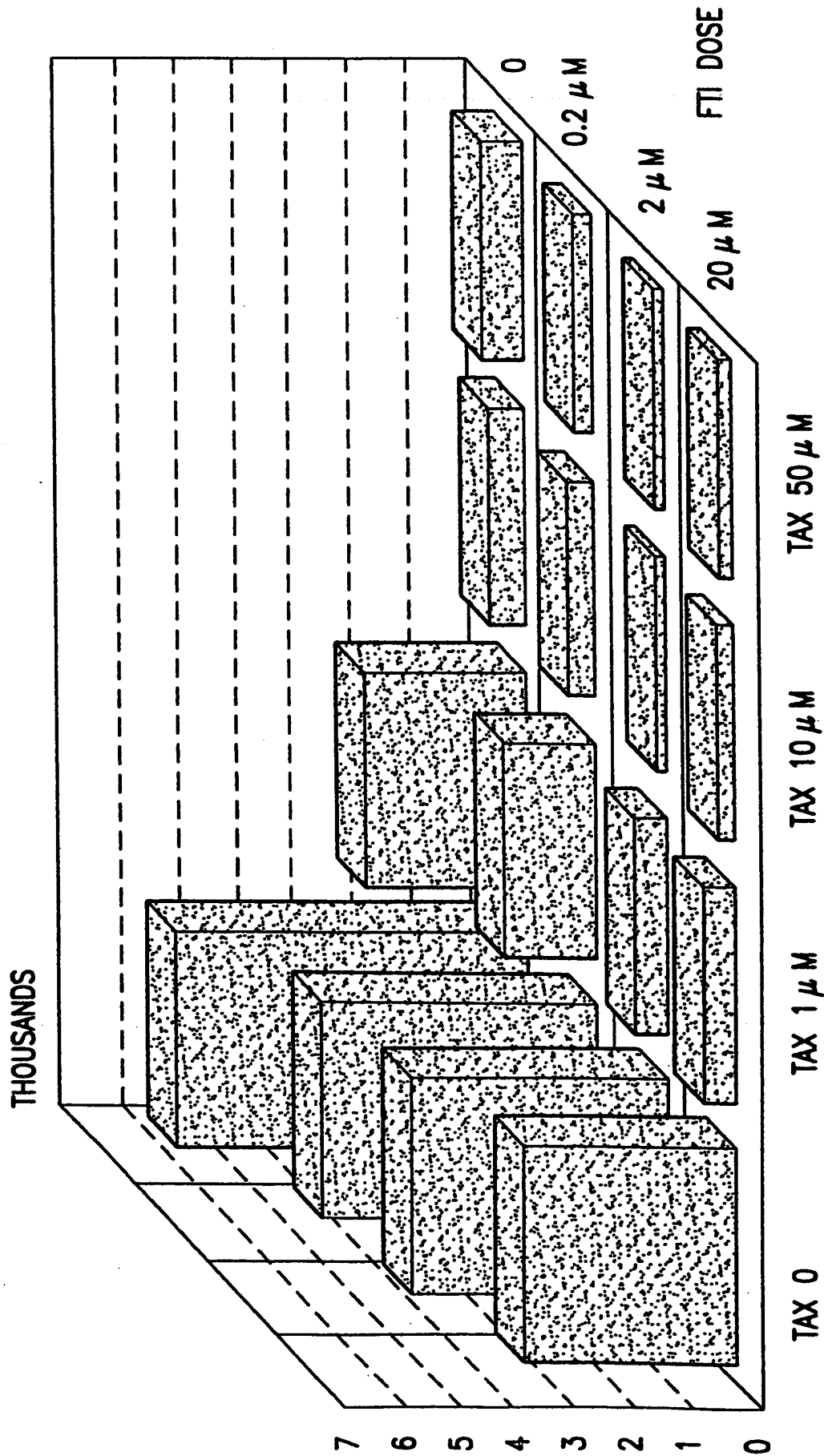
**Title: A METHOD OF TREATING CANCER**

**Inventors: Neal Rosen, Laura Sepp-Lorenzino, Mark  
M. Moasser, Allen I. Oliff, Jackson B. Gibbs, Nancy  
Kohl, Samuel L. Graham and George Prendergast**

**Serial No. 09/445,054**

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CHEMO DOSE

FIG.3A

**Title: A METHOD OF TREATING CANCER**

**Inventors: Neal Rosen, Laura Sepp-Lorenzino, Mark  
M. Moasser, Allen I. Oliff, Jackson B. Gibbs, Nancy  
Kohl, Samuel L. Graham and George Prendergast**

**Serial No. 09/445,054**

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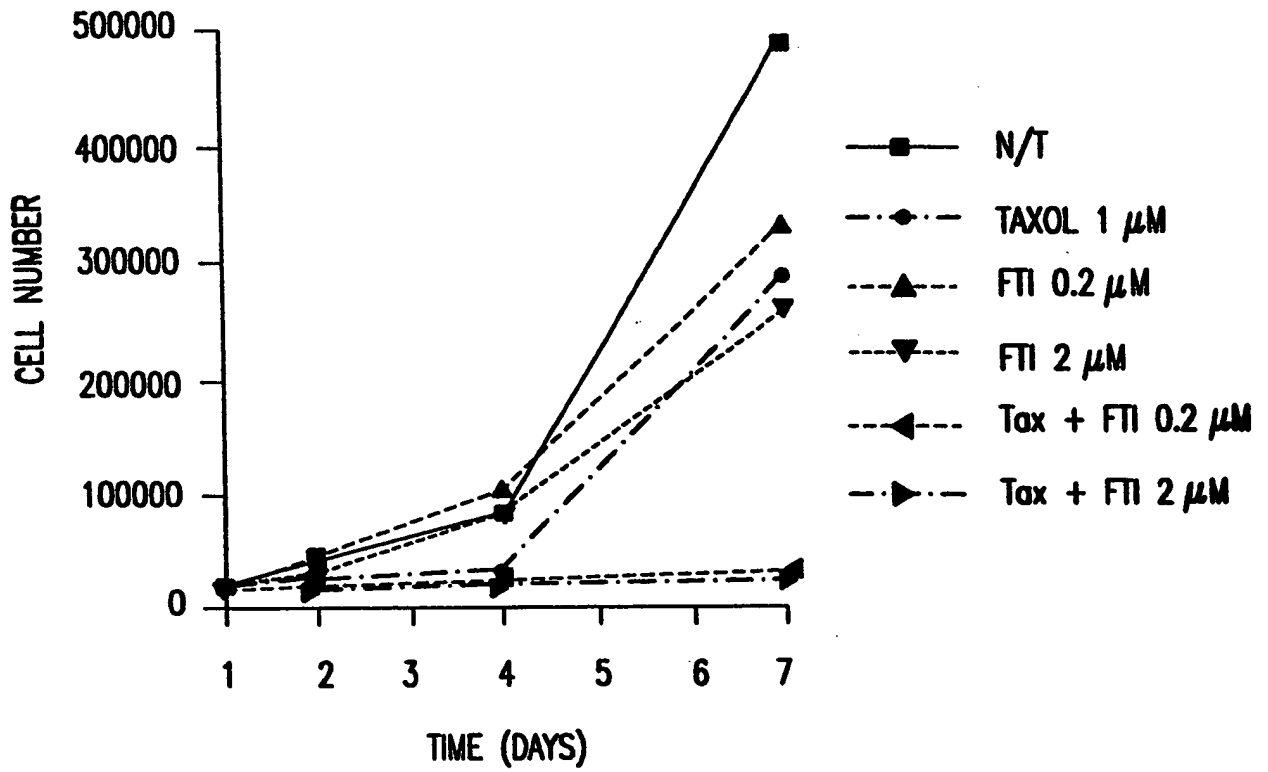


FIG.3B

**Title: A METHOD OF TREATING CANCER**

**Inventors: Neal Rosen, Laura Sepp-Lorenzino, Mark  
M. Moasser, Allen I. Oliff, Jackson B. Gibbs, Nancy  
Kohl, Samuel L. Graham and George Prendergast**

**Serial No. 09/445,054**

**Case No.: Merck 19962YP**

**Sheet 6 of 48**

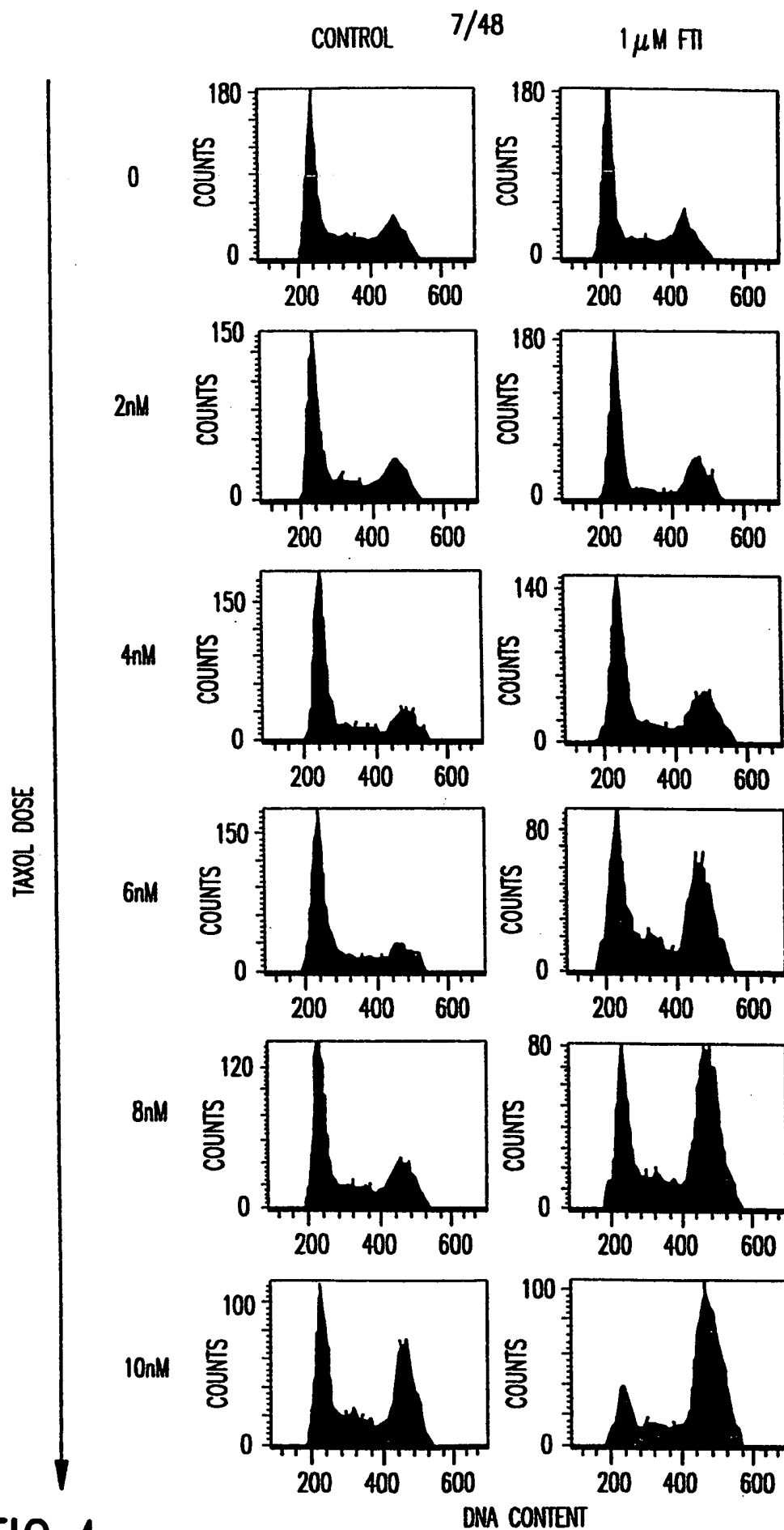


FIG.4

**Title: A METHOD OF TREATING CANCER**

**Inventors: Neal Rosen, Laura Sepp-Lorenzino, Mark  
M. Moasser, Allen I. Oliff, Jackson B. Gibbs, Nancy  
Kohl, Samuel L. Graham and George Prendergast**

**Serial No. 09/445,054**

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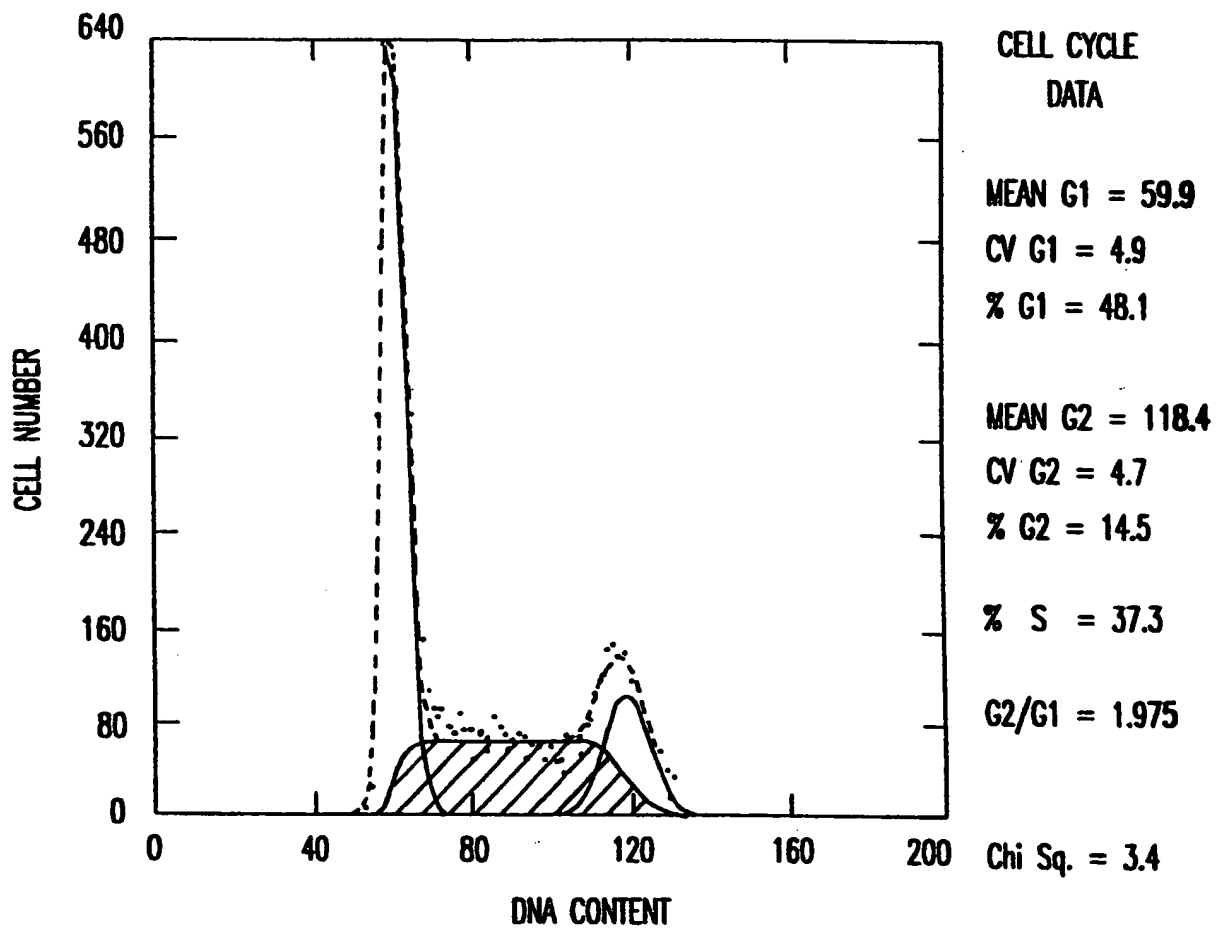


FIG.4A

**Title: A METHOD OF TREATING CANCER**

**Inventors: Neal Rosen, Laura Sepp-Lorenzino, Mark  
M. Moasser, Allen I. Oliff, Jackson B. Gibbs, Nancy  
Kohl, Samuel L. Graham and George Prendergast**

**Serial No. 09/445,054**

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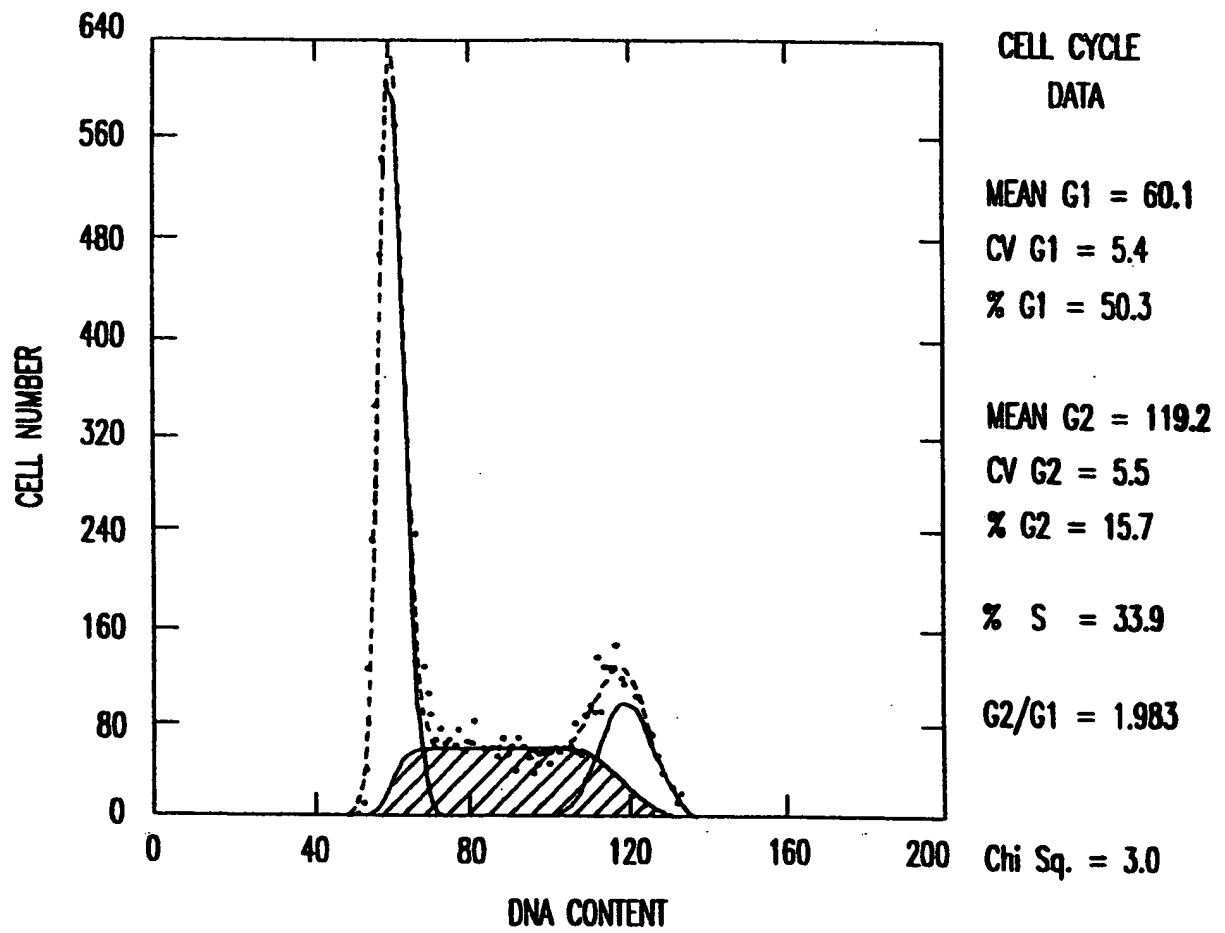


FIG.4B

**Title: A METHOD OF TREATING CANCER**

**Inventors: Neal Rosen, Laura Sepp-Lorenzino, Mark  
M. Moasser, Allen I. Oliff, Jackson B. Gibbs, Nancy  
Kohl, Samuel L. Graham and George Prendergast**

**Serial No. 09/445,054**

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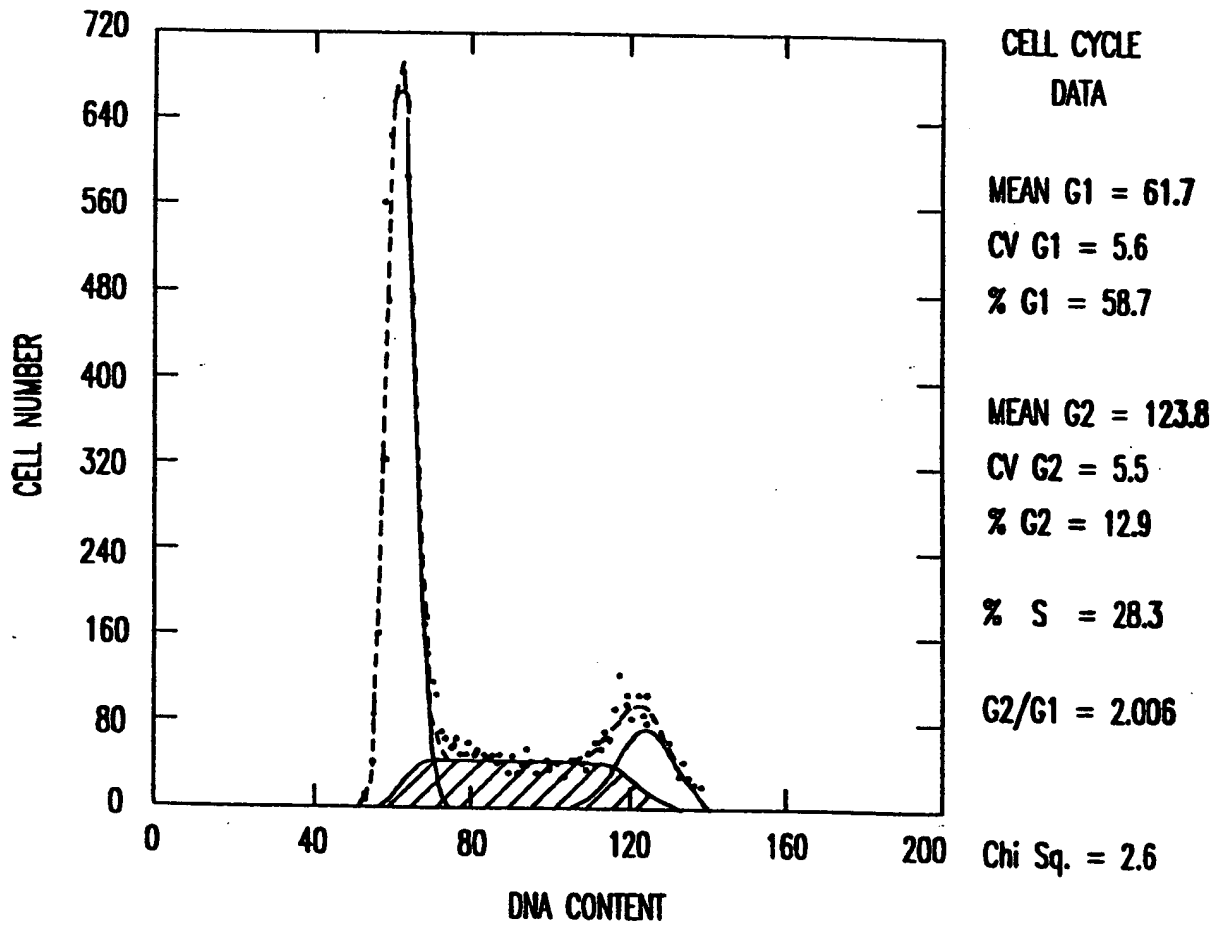


FIG.4C

**Title: A METHOD OF TREATING CANCER**

**Inventors: Neal Rosen, Laura Sepp-Lorenzino, Mark  
M. Moasser, Allen I. Oliff, Jackson B. Gibbs, Nancy  
Kohl, Samuel L. Graham and George Prendergast**

**Serial No. 09/445,054**

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X

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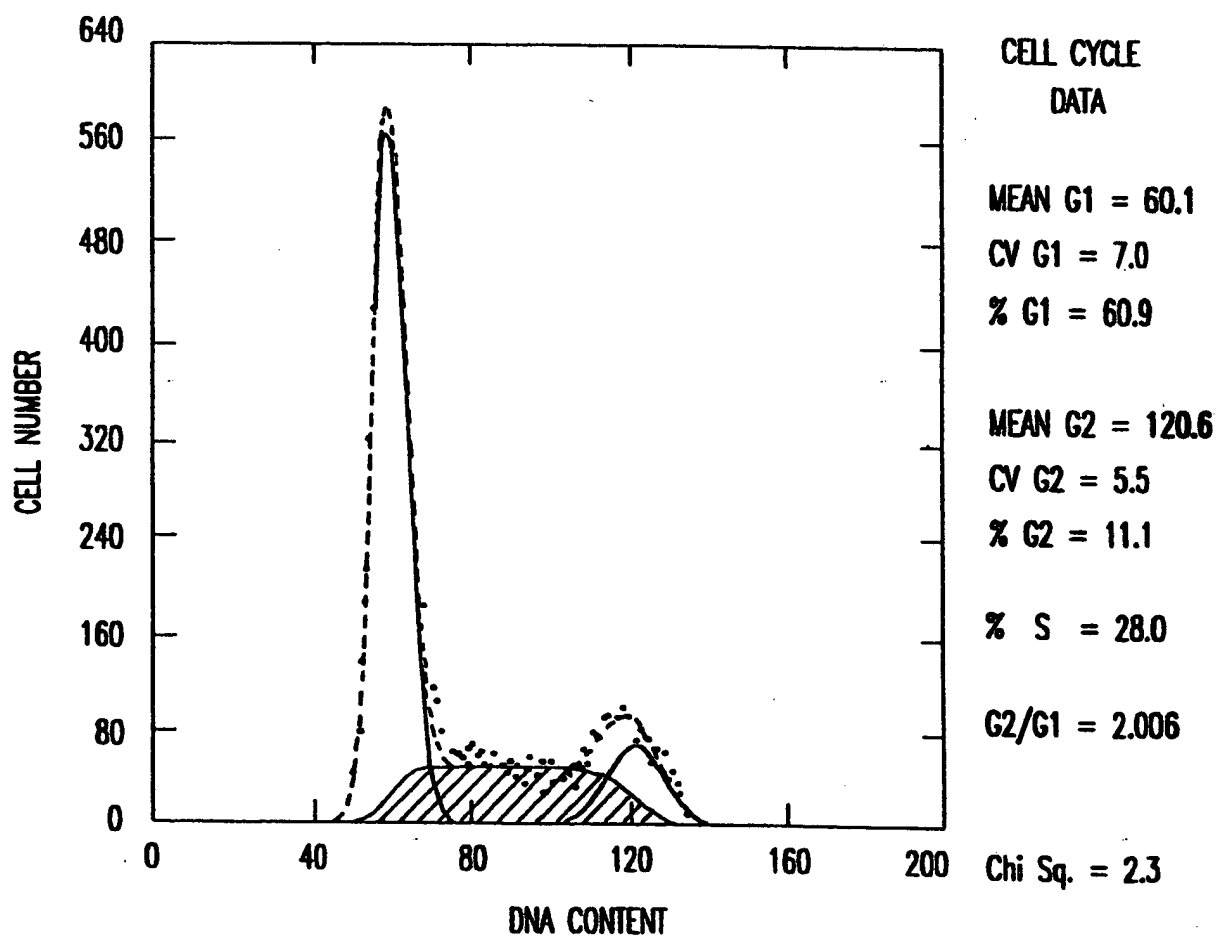


FIG.4D

**Title: A METHOD OF TREATING CANCER**

**Inventors: Neal Rosen, Laura Sepp-Lorenzino, Mark  
M. Moasser, Allen I. Oliff, Jackson B. Gibbs, Nancy  
Kohl, Samuel L. Graham and George Prendergast**

**Serial No. 09/445,054**

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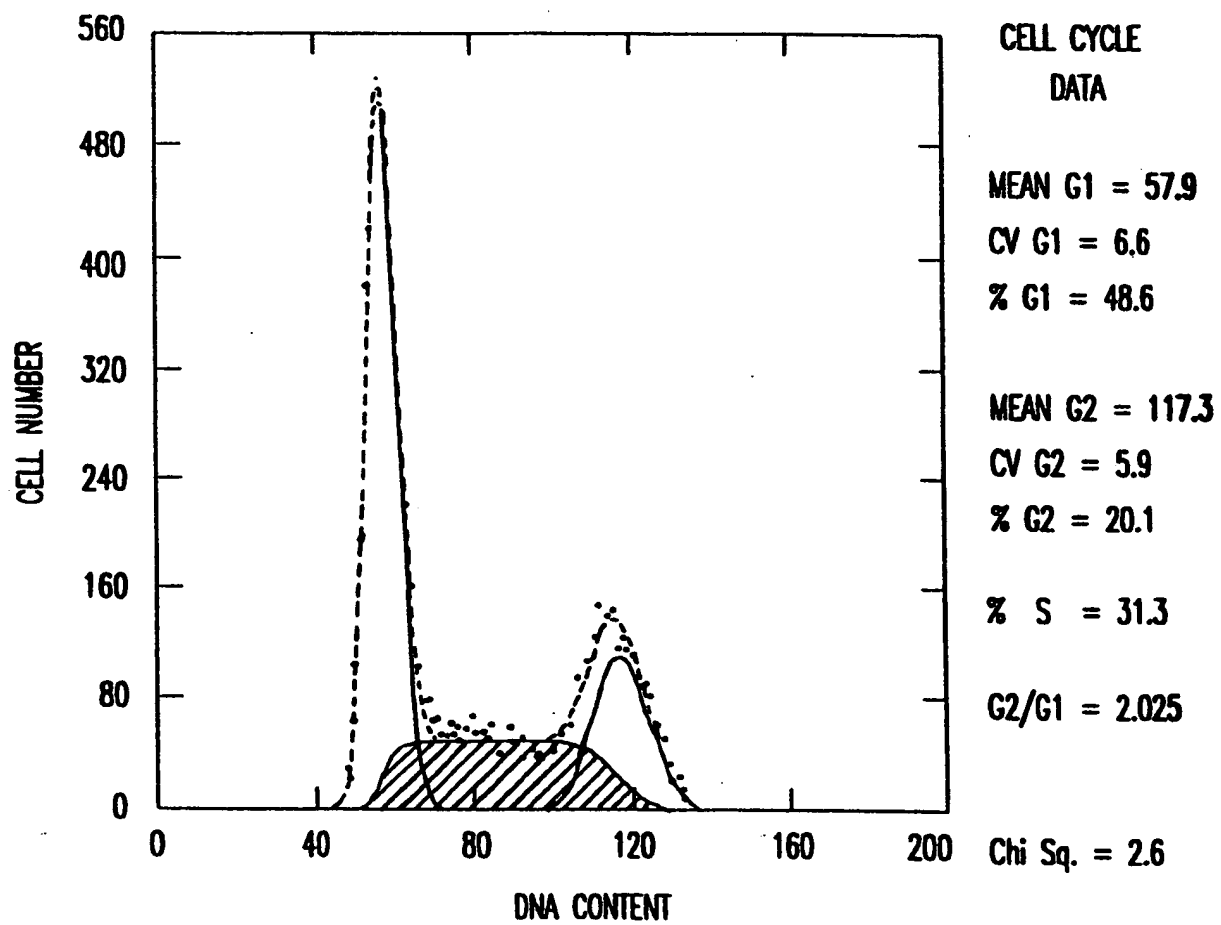


FIG.4E

**Title: A METHOD OF TREATING CANCER**

**Inventors: Neal Rosen, Laura Sepp-Lorenzino, Mark  
M. Moasser, Allen I. Oliff, Jackson B. Gibbs, Nancy  
Kohl, Samuel L. Graham and George Prendergast**

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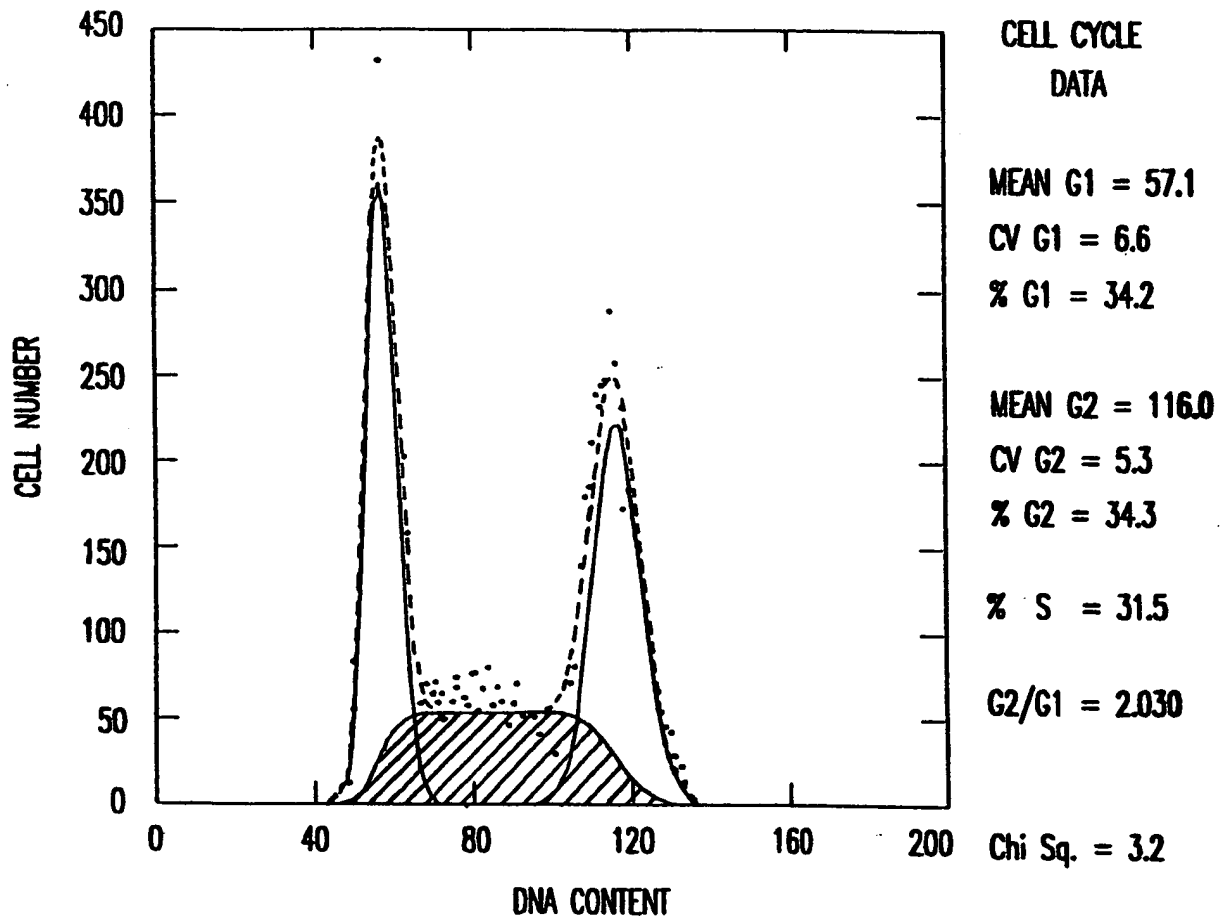


FIG.4F

**Title: A METHOD OF TREATING CANCER**

**Inventors: Neal Rosen, Laura Sepp-Lorenzino, Mark  
M. Moasser, Allen I. Oliff, Jackson B. Gibbs, Nancy  
Kohl, Samuel L. Graham and George Prendergast**

**Serial No. 09/445,054**

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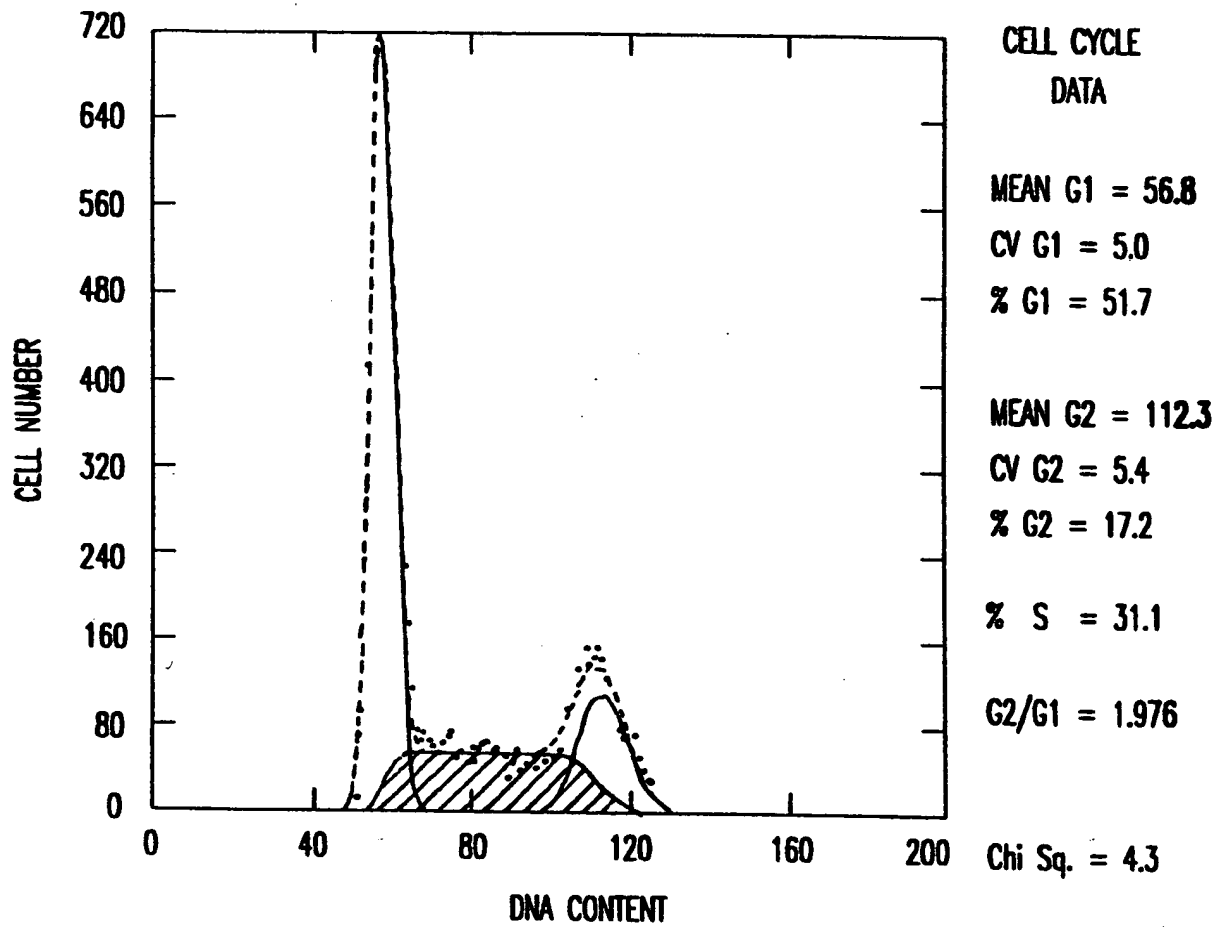


FIG.4G

**Title: A METHOD OF TREATING CANCER**

**Inventors: Neal Rosen, Laura Sepp-Lorenzino, Mark  
M. Moasser, Allen I. Oliff, Jackson B. Gibbs, Nancy  
Kohl, Samuel L. Graham and George Prendergast**

**Serial No. 09/445,054**

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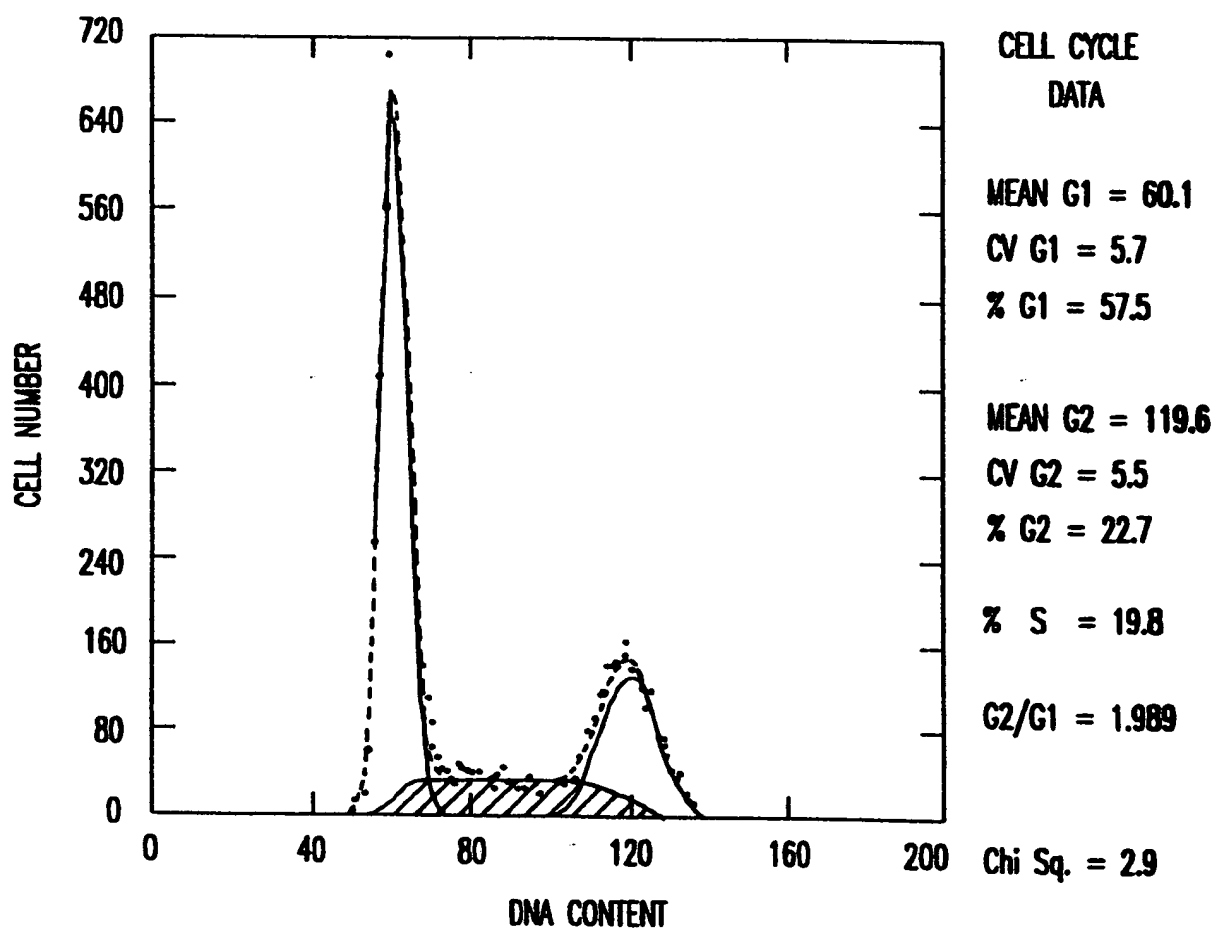


FIG.4H

**Title: A METHOD OF TREATING CANCER**

**Inventors: Neal Rosen, Laura Sepp-Lorenzino, Mark  
M. Moasser, Allen I. Oliff, Jackson B. Gibbs, Nancy  
Kohl, Samuel L. Graham and George Prendergast**

**Serial No. 09/445,054**

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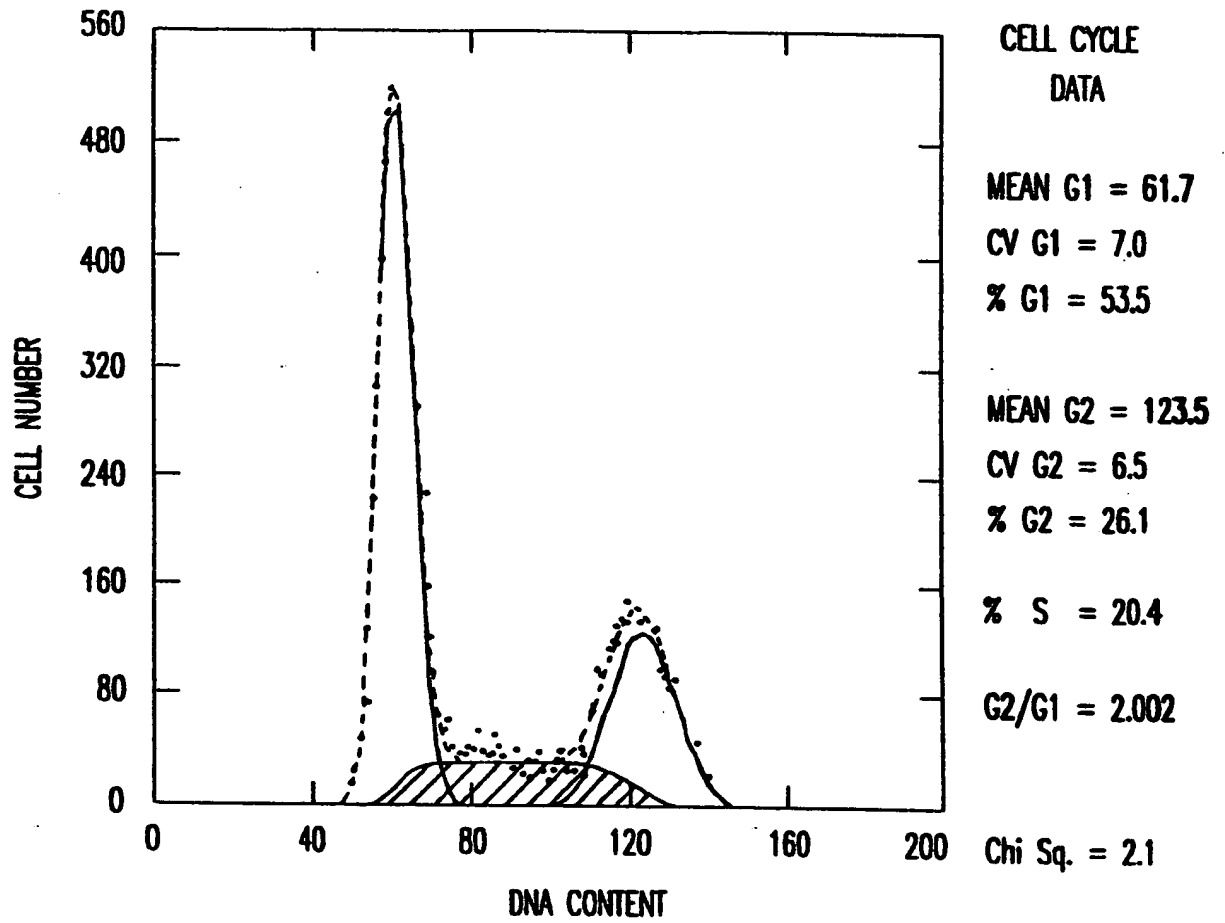


FIG.4I

**Title: A METHOD OF TREATING CANCER**

**Inventors: Neal Rosen, Laura Sepp-Lorenzino, Mark  
M. Moasser, Allen I. Oliff, Jackson B. Gibbs, Nancy  
Kohl, Samuel L. Graham and George Prendergast**

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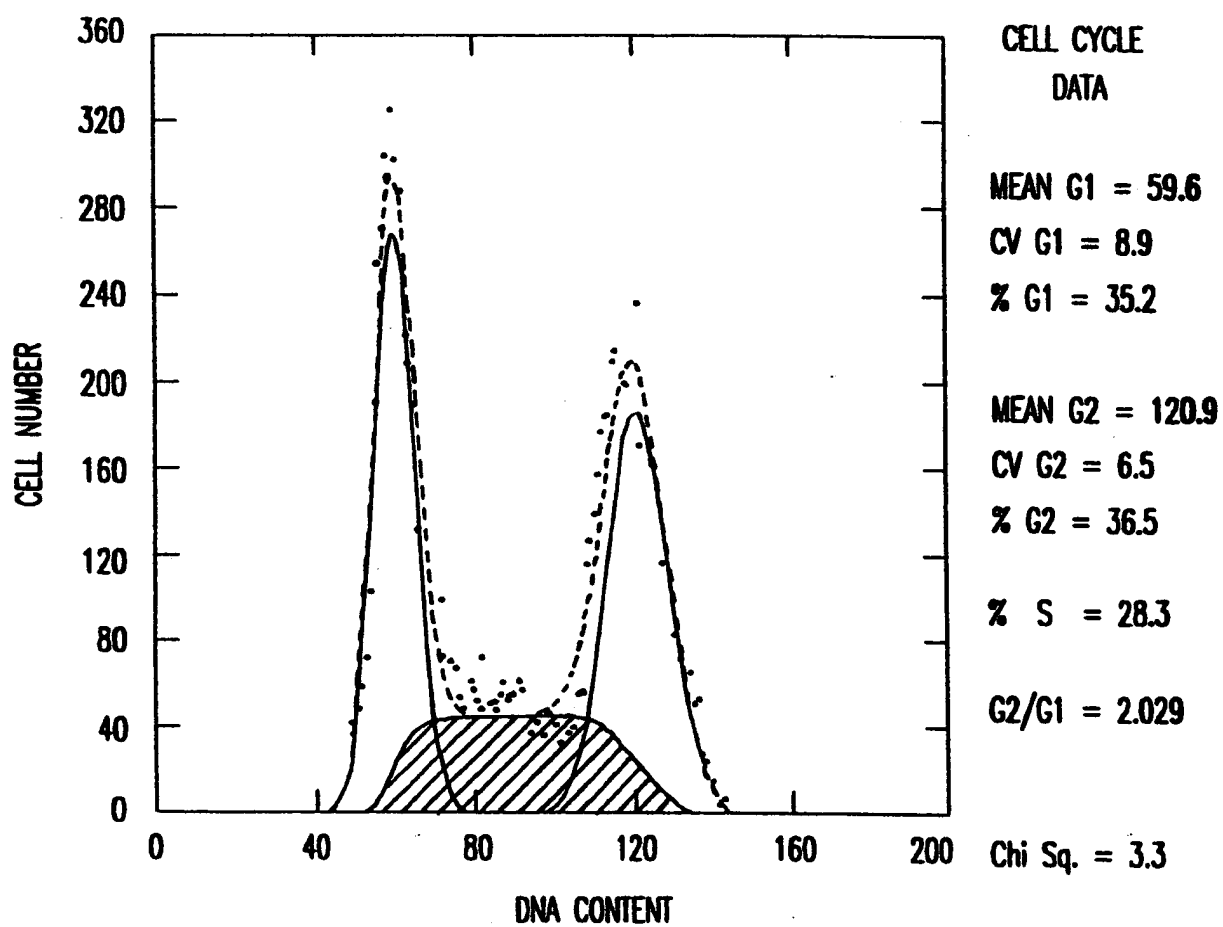


FIG.4J

**Title: A METHOD OF TREATING CANCER**

**Inventors: Neal Rosen, Laura Sepp-Lorenzino, Mark  
M. Moasser, Allen I. Oliff, Jackson B. Gibbs, Nancy  
Kohl, Samuel L. Graham and George Prendergast**

**Serial No. 09/445,054**

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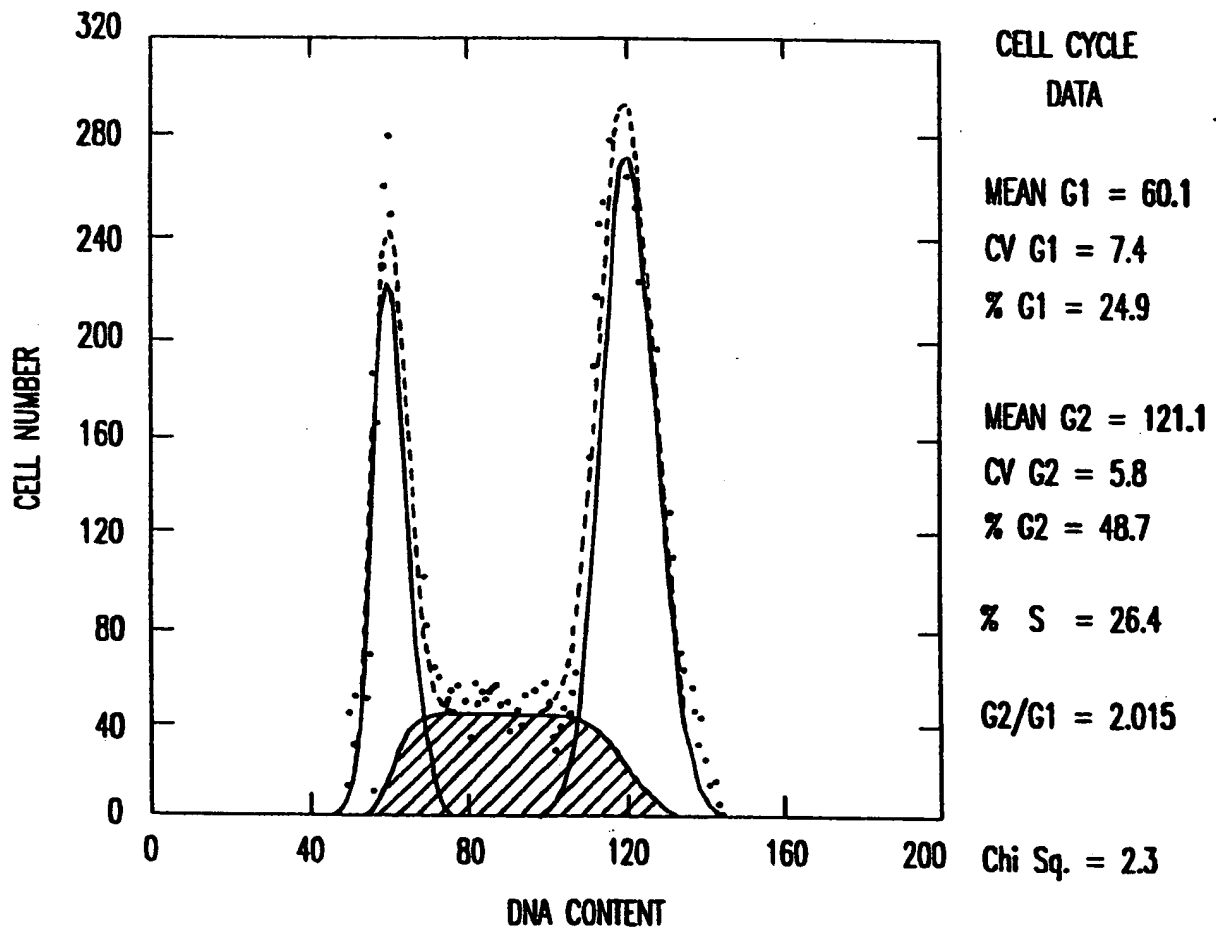


FIG.4K

**Title: A METHOD OF TREATING CANCER**

**Inventors: Neal Rosen, Laura Sepp-Lorenzino, Mark  
M. Moasser, Allen I. Oliff, Jackson B. Gibbs, Nancy  
Kohl, Samuel L. Graham and George Prendergast**

**Serial No. 09/445,054**

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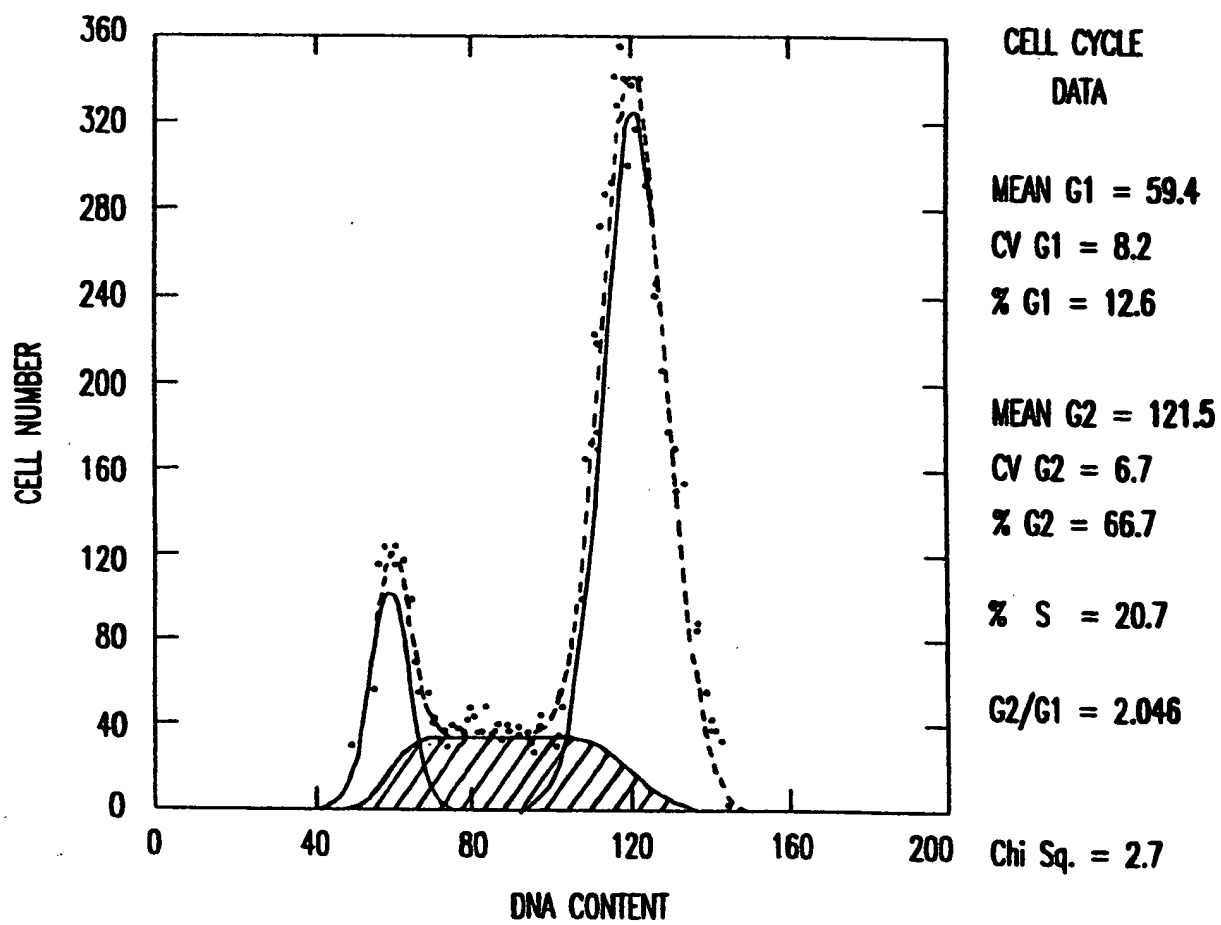


FIG.4L

**Title: A METHOD OF TREATING CANCER**

**Inventors: Neal Rosen, Laura Sepp-Lorenzino, Mark  
M. Moasser, Allen I. Oliff, Jackson B. Gibbs, Nancy  
Kohl, Samuel L. Graham and George Prendergast**

**Serial No. 09/445,054**

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TAXOL DOSE		CONTROL	1 $\mu$ M FTI
	4nM	3.3%	12.3%
	6nM	8.8%	16.9%
	8nM	20.5%	27.6%
	10nM	30.0%	36.0%

FIG.5

**Title: A METHOD OF TREATING CANCER**

**Inventors: Neal Rosen, Laura Sepp-Lorenzino, Mark  
M. Moasser, Allen I. Oliff, Jackson B. Gibbs, Nancy  
Kohl, Samuel L. Graham and George Prendergast**

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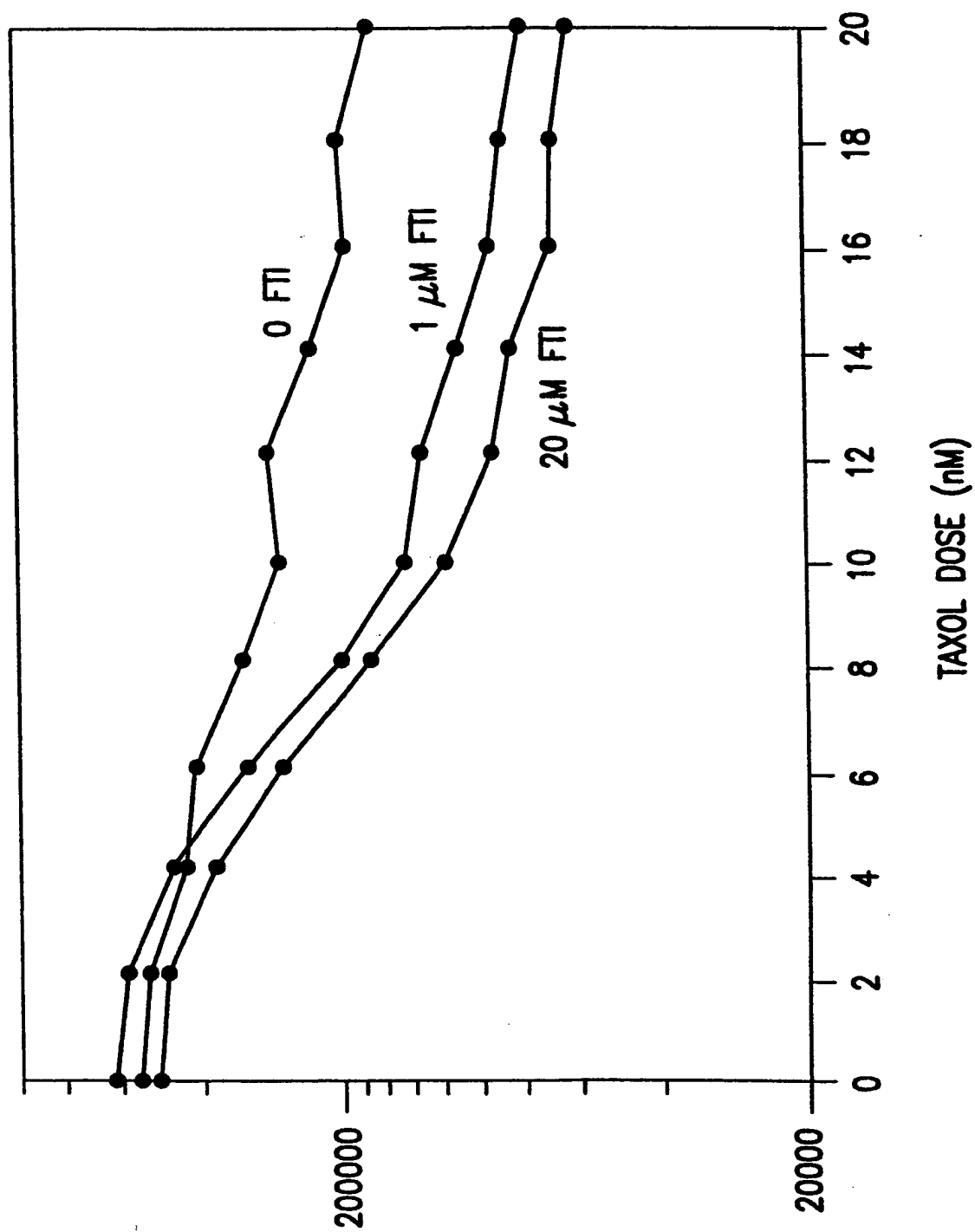


FIG.6

**Title: A METHOD OF TREATING CANCER**

**Inventors: Neal Rosen, Laura Sepp-Lorenzino, Mark  
M. Moasser, Allen I. Oliff, Jackson B. Gibbs, Nancy  
Kohl, Samuel L. Graham and George Prendergast**

**Serial No. 09/445,054**

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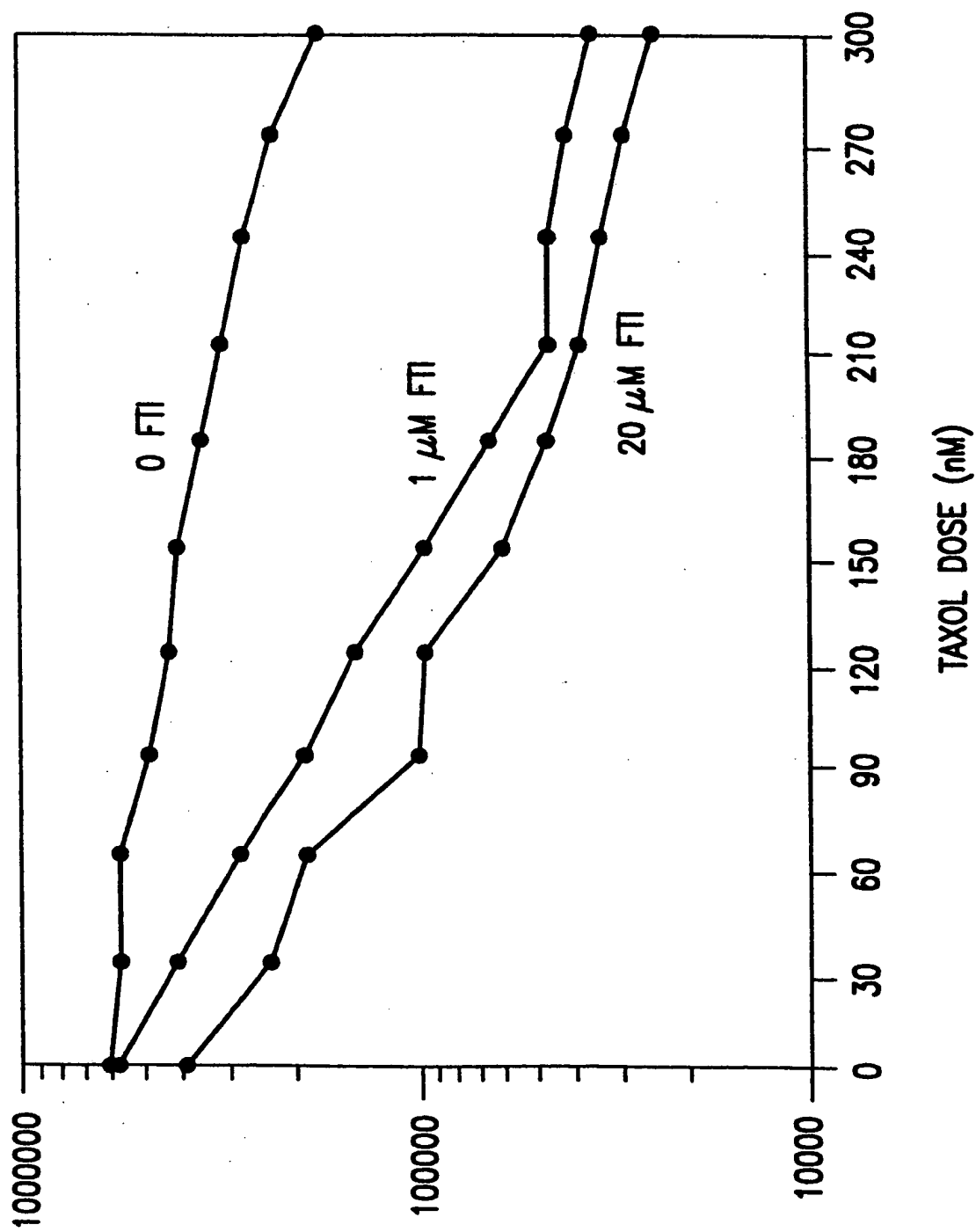


FIG.7

**Title: A METHOD OF TREATING CANCER**

**Inventors: Neal Rosen, Laura Sepp-Lorenzino, Mark  
M. Moasser, Allen I. Oliff, Jackson B. Gibbs, Nancy  
Kohl, Samuel L. Graham and George Prendergast**

**Serial No. 09/445,054**

**Case No.: Merck 19962YP**

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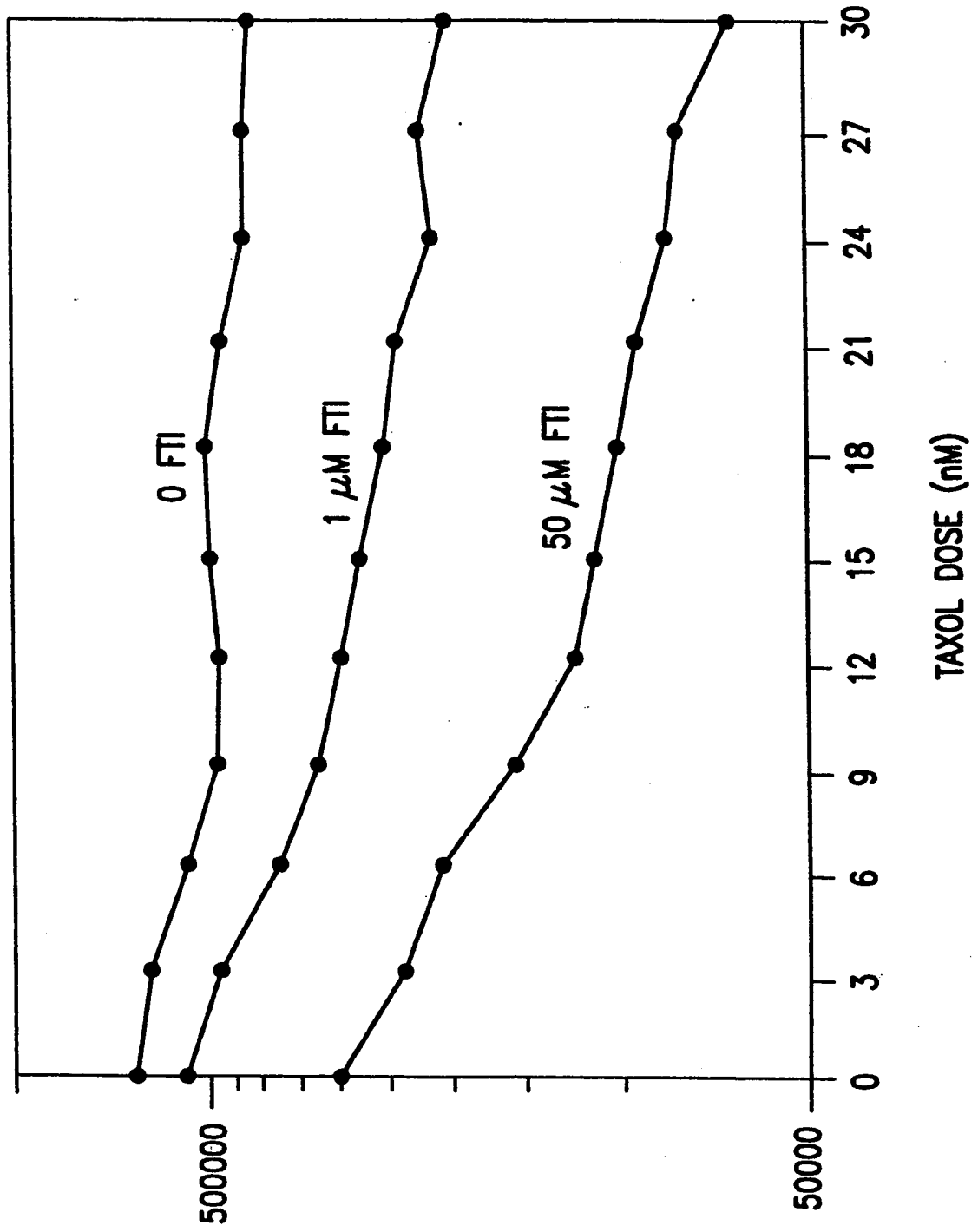


FIG.8

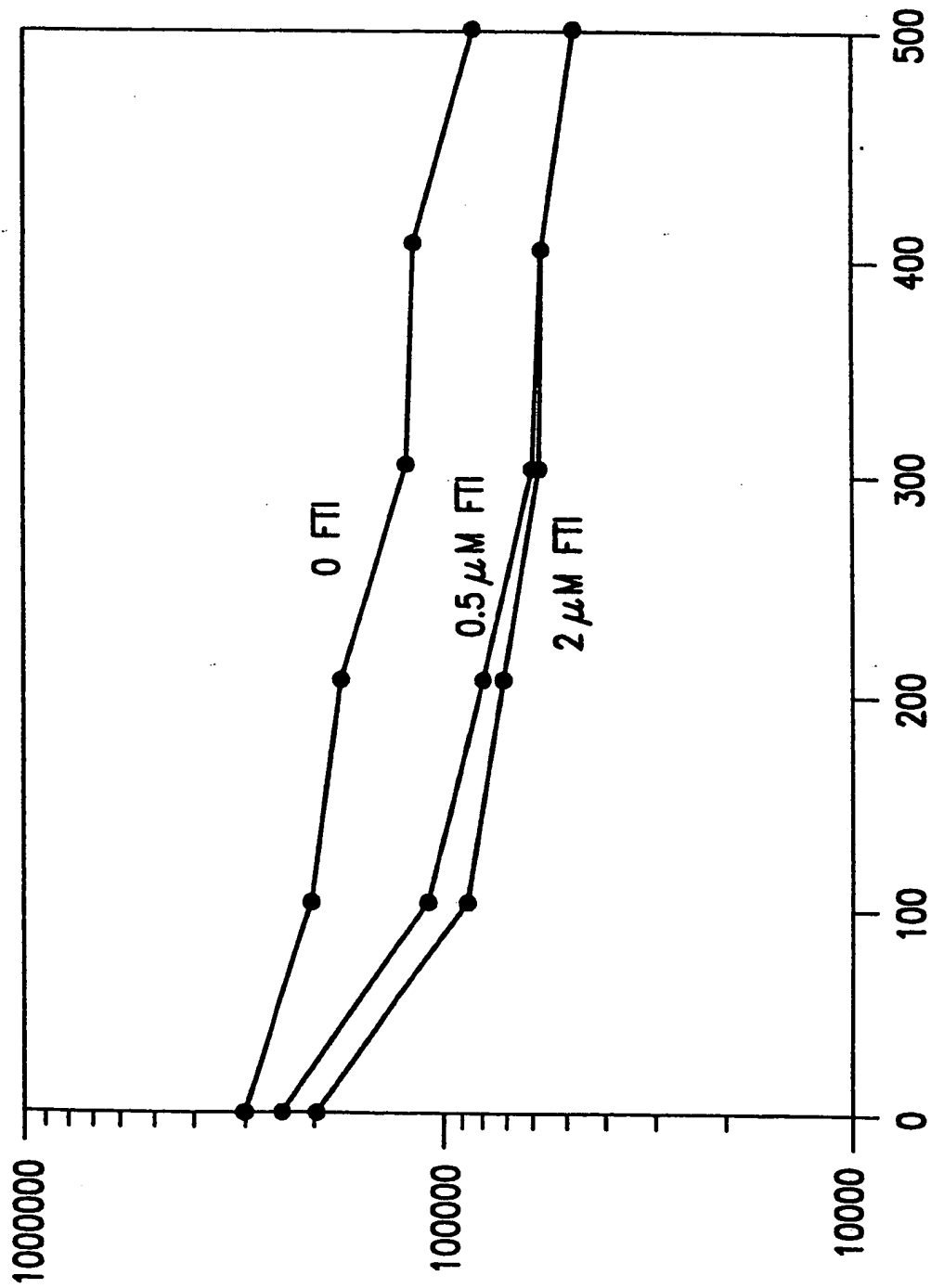
**Title: A METHOD OF TREATING CANCER**

**Inventors: Neal Rosen, Laura Sepp-Lorenzino, Mark  
M. Moasser, Allen I. Oliff, Jackson B. Gibbs, Nancy  
Kohl, Samuel L. Graham and George Prendergast**

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TAXOL DOSE (nM)

FIG.9

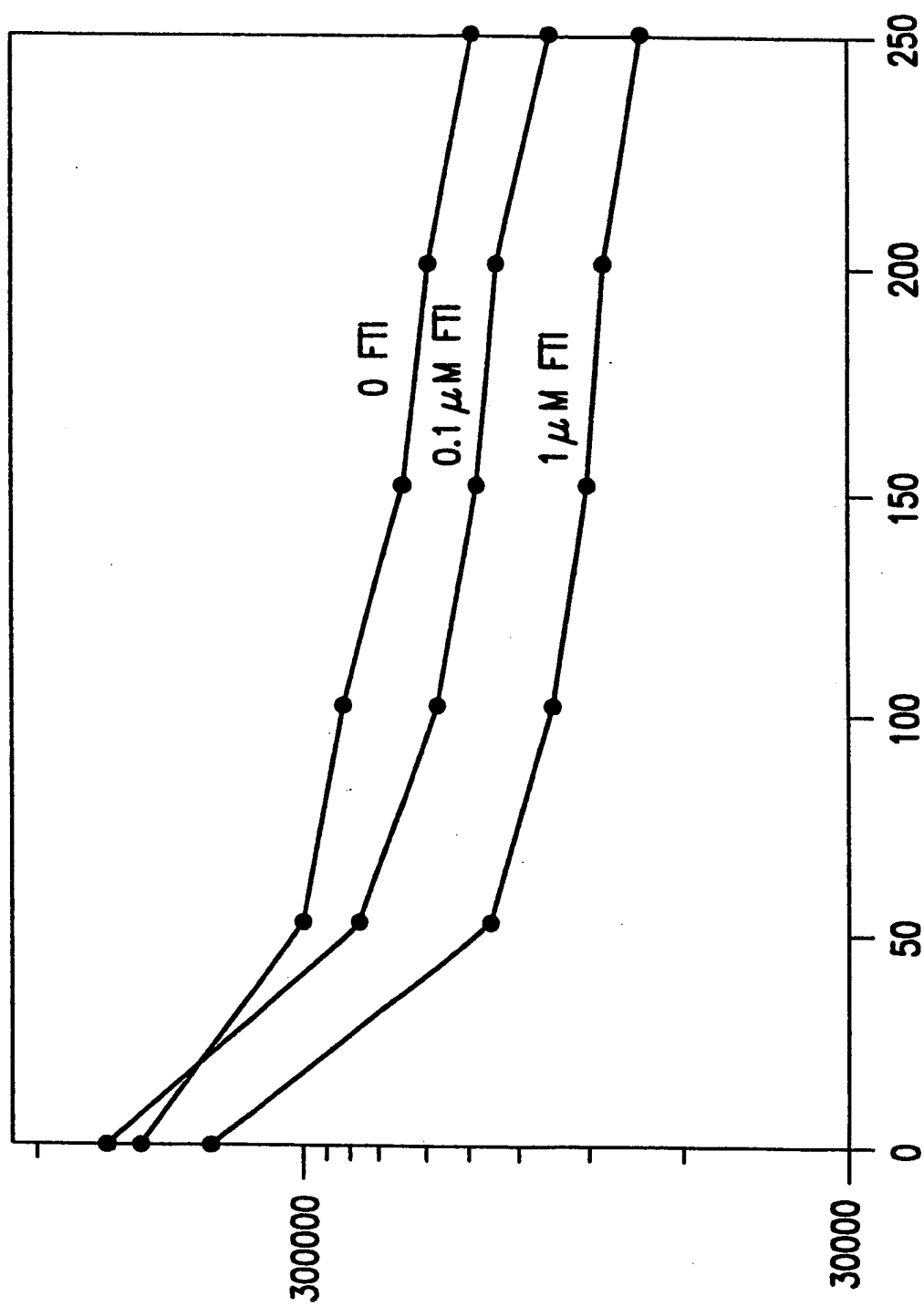
**Title: A METHOD OF TREATING CANCER**

**Inventors: Neal Rosen, Laura Sepp-Lorenzino, Mark  
M. Moasser, Allen I. Oliff, Jackson B. Gibbs, Nancy  
Kohl, Samuel L. Graham and George Prendergast**

**Serial No. 09/445,054**

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TAXOL DOSE (nM)

FIG.10

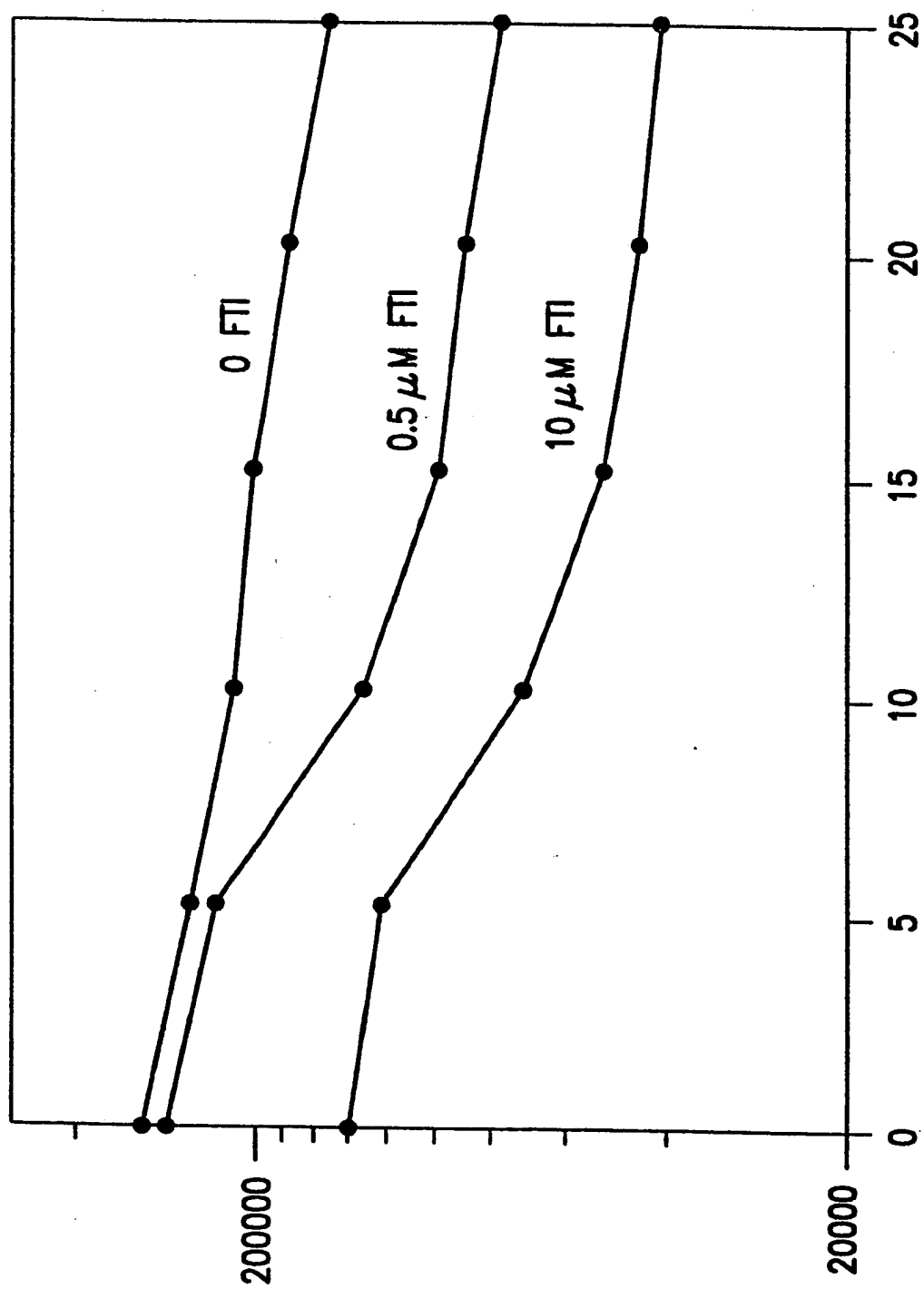
**Title: A METHOD OF TREATING CANCER**

**Inventors: Neal Rosen, Laura Sepp-Lorenzino, Mark  
M. Moasser, Allen I. Oliff, Jackson B. Gibbs, Nancy  
Kohl, Samuel L. Graham and George Prendergast**

**Serial No. 09/445,054**

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TAXOL DOSE (nM)

FIG.11

**Title: A METHOD OF TREATING CANCER**

**Inventors: Neal Rosen, Laura Sepp-Lorenzino, Mark  
M. Moasser, Allen I. Oliff, Jackson B. Gibbs, Nancy  
Kohl, Samuel L. Graham and George Prendergast**

**Serial No. 09/445,054**

**Case No.: Merck 19962YP**

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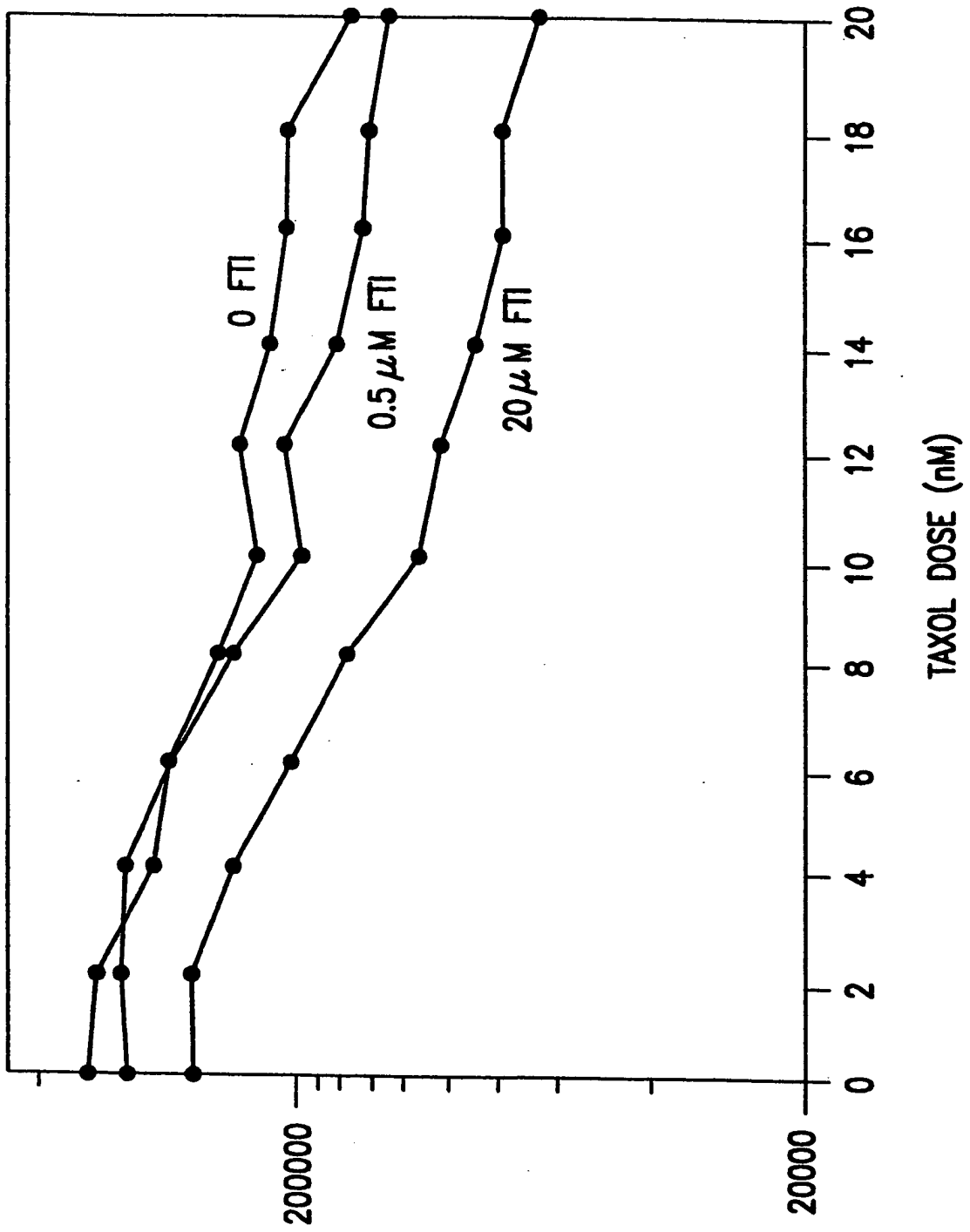


FIG.12

**Title: A METHOD OF TREATING CANCER**

**Inventors: Neal Rosen, Laura Sepp-Lorenzino, Mark  
M. Moasser, Allen I. Oliff, Jackson B. Gibbs, Nancy  
Kohl, Samuel L. Graham and George Prendergast**

**Serial No. 09/445,054**

**Case No.: Merck 19962YP**

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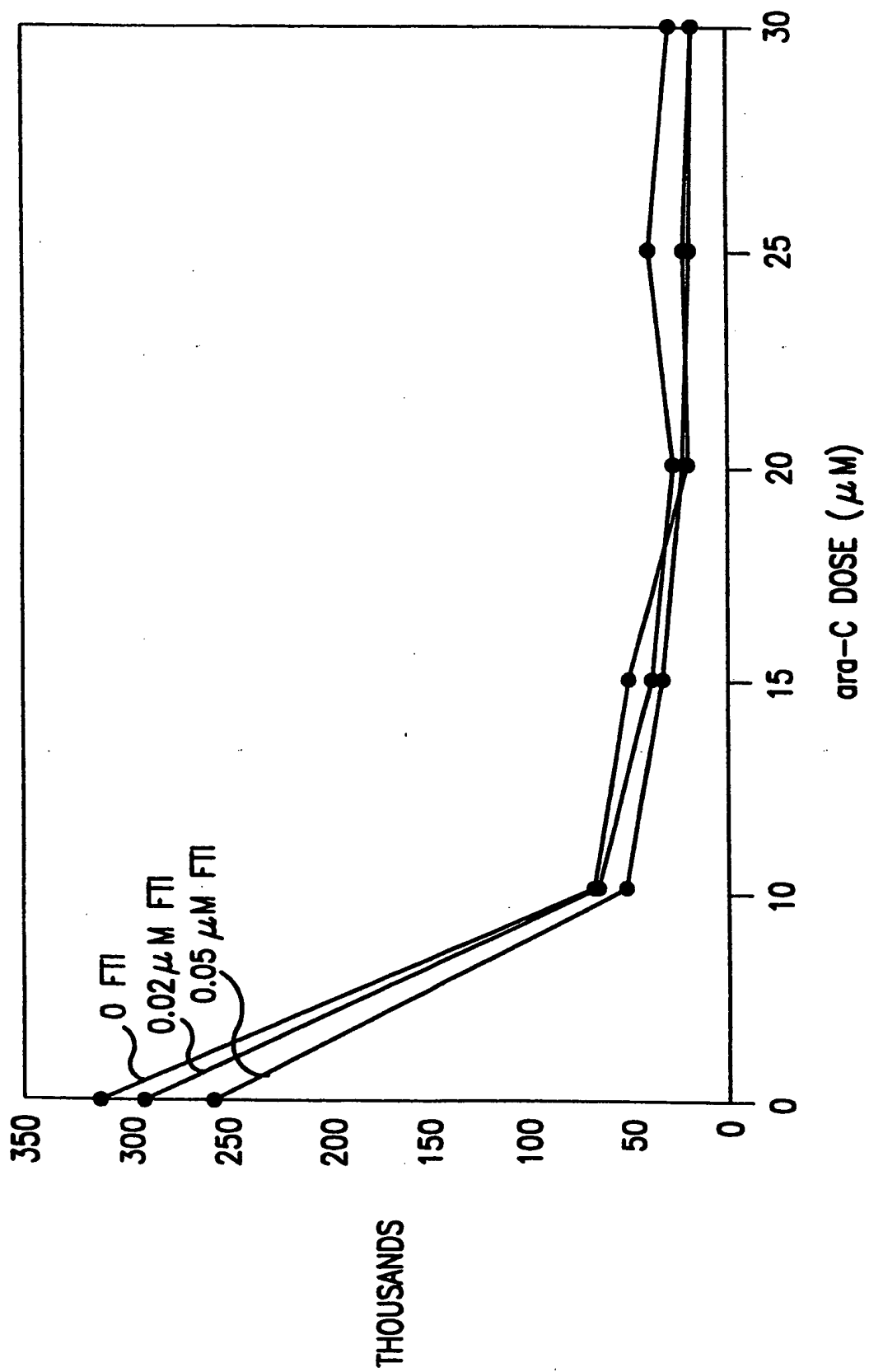


FIG.13

Title: A METHOD OF TREATING CANCER

Inventors: Neal Rosen, Laura Sepp-Lorenzino, Mark  
M. Moasser, Allen I. Oliff, Jackson B. Gibbs, Nancy  
Kohl, Samuel L. Graham and George Prendergast

Serial No. 09/445,054

Case No.: Merck 19962YP

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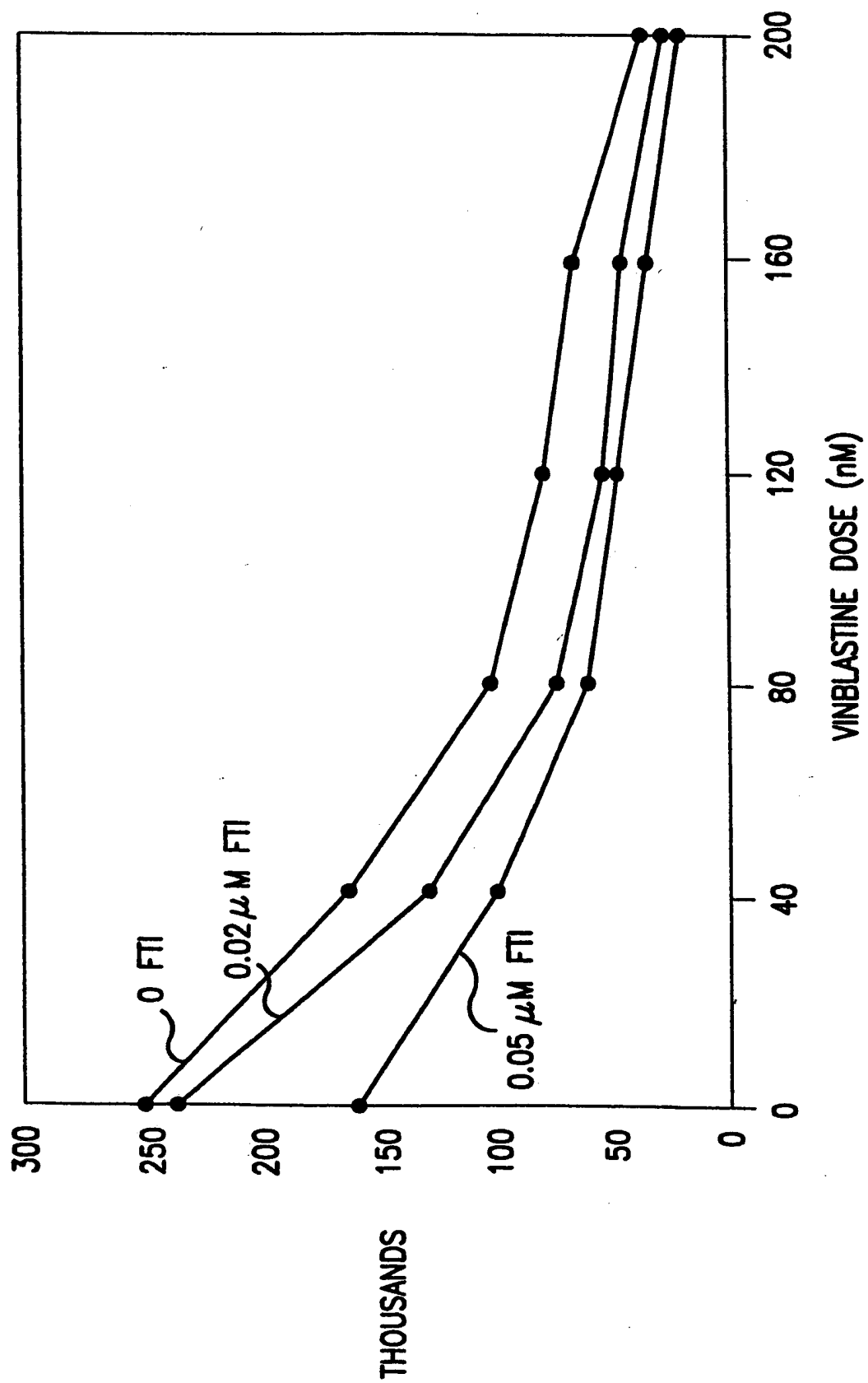


FIG.14

**Title: A METHOD OF TREATING CANCER**

**Inventors: Neal Rosen, Laura Sepp-Lorenzino, Mark  
M. Moasser, Allen I. Oliff, Jackson B. Gibbs, Nancy  
Kohl, Samuel L. Graham and George Prendergast**

**Serial No. 09/445,054**

**Case No.: Merck 19962YP**

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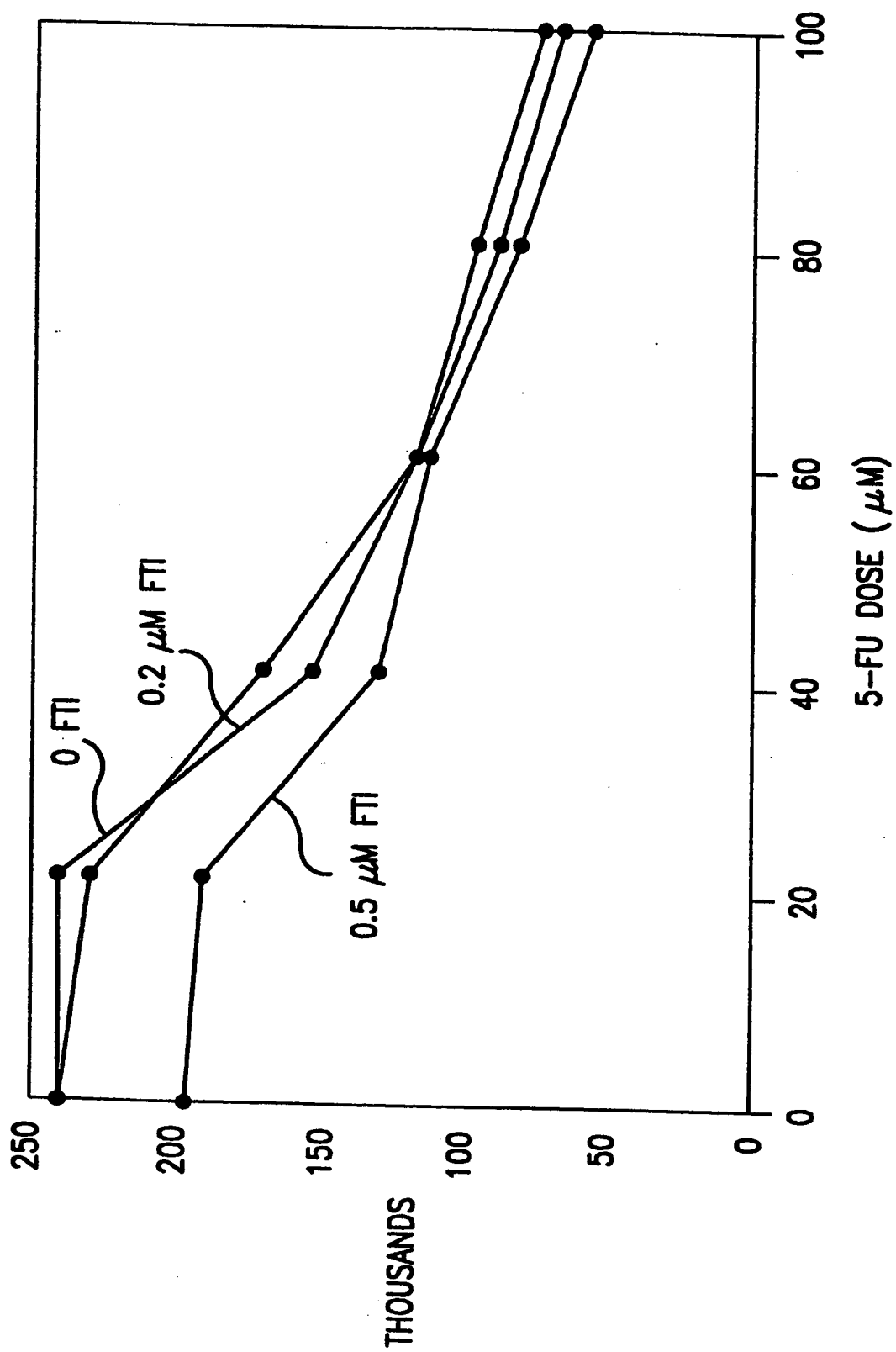


FIG.15

**Title: A METHOD OF TREATING CANCER**

**Inventors: Neal Rosen, Laura Sepp-Lorenzino, Mark  
M. Moasser, Allen I. Oliff, Jackson B. Gibbs, Nancy  
Kohl, Samuel L. Graham and George Prendergast**

**Serial No. 09/445,054**

**Case No.: Merck 19962YP**

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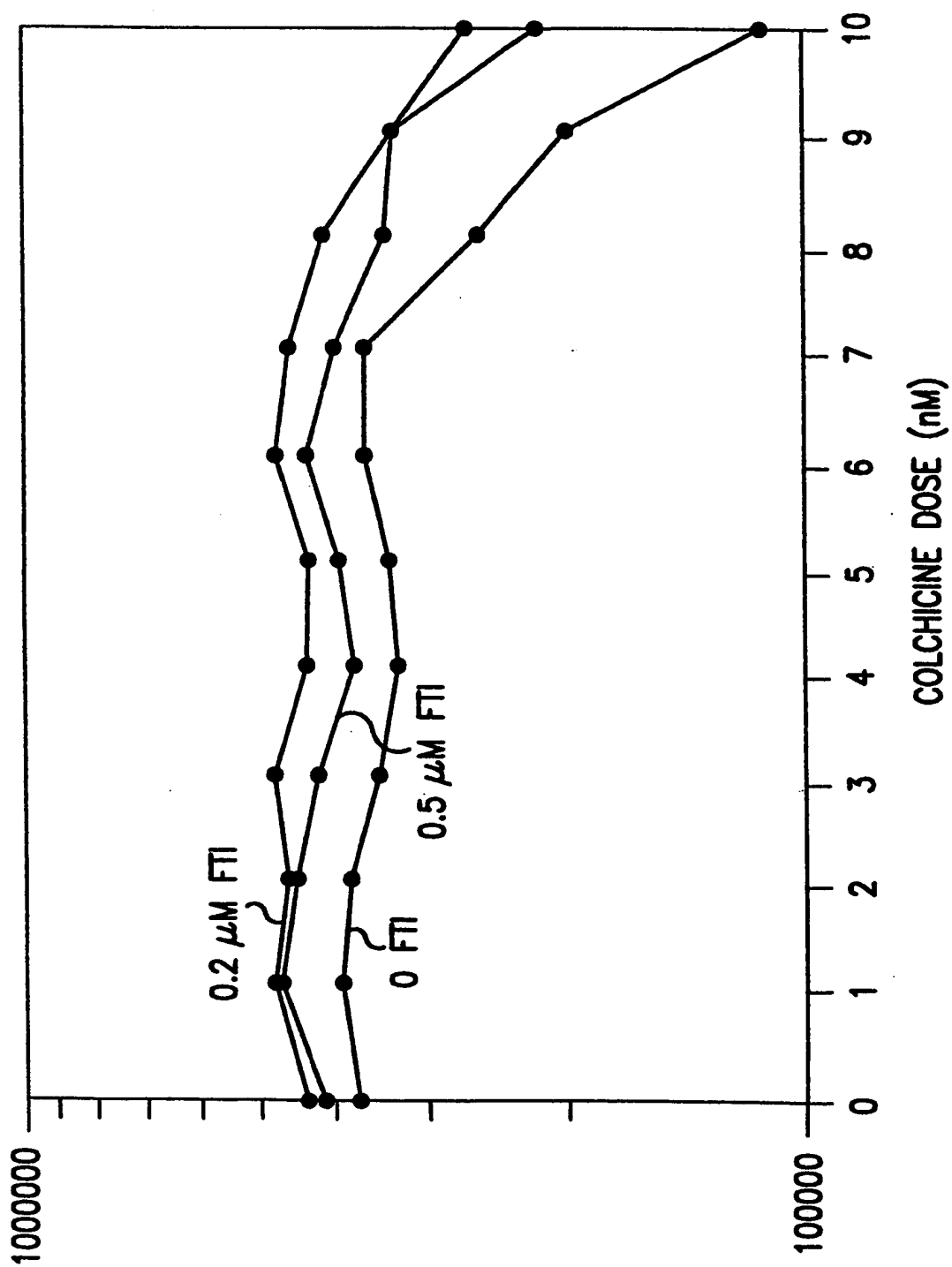


FIG.16

**Title: A METHOD OF TREATING CANCER**

**Inventors: Neal Rosen, Laura Sepp-Lorenzino, Mark  
M. Moasser, Allen I. Oliff, Jackson B. Gibbs, Nancy  
Kohl, Samuel L. Graham and George Prendergast**

**Serial No. 09/445,054**

**Case No.: Merck 19962YP**

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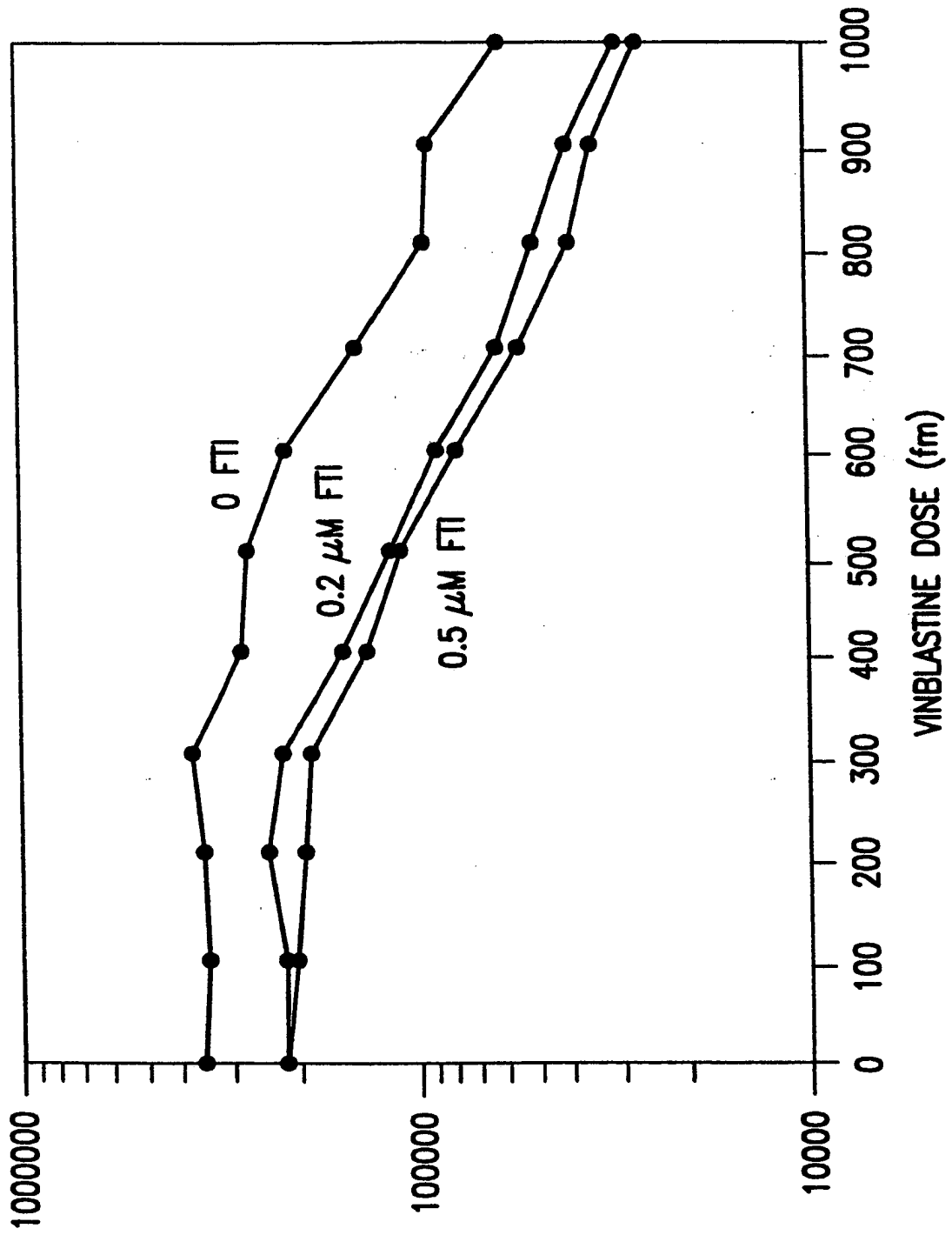


FIG.17

**Title: A METHOD OF TREATING CANCER**

**Inventors: Neal Rosen, Laura Sepp-Lorenzino, Mark  
M. Moasser, Allen I. Oliff, Jackson B. Gibbs, Nancy  
Kohl, Samuel L. Graham and George Prendergast**

**Serial No. 09/445,054**

**Case No.: Merck 19962YP**

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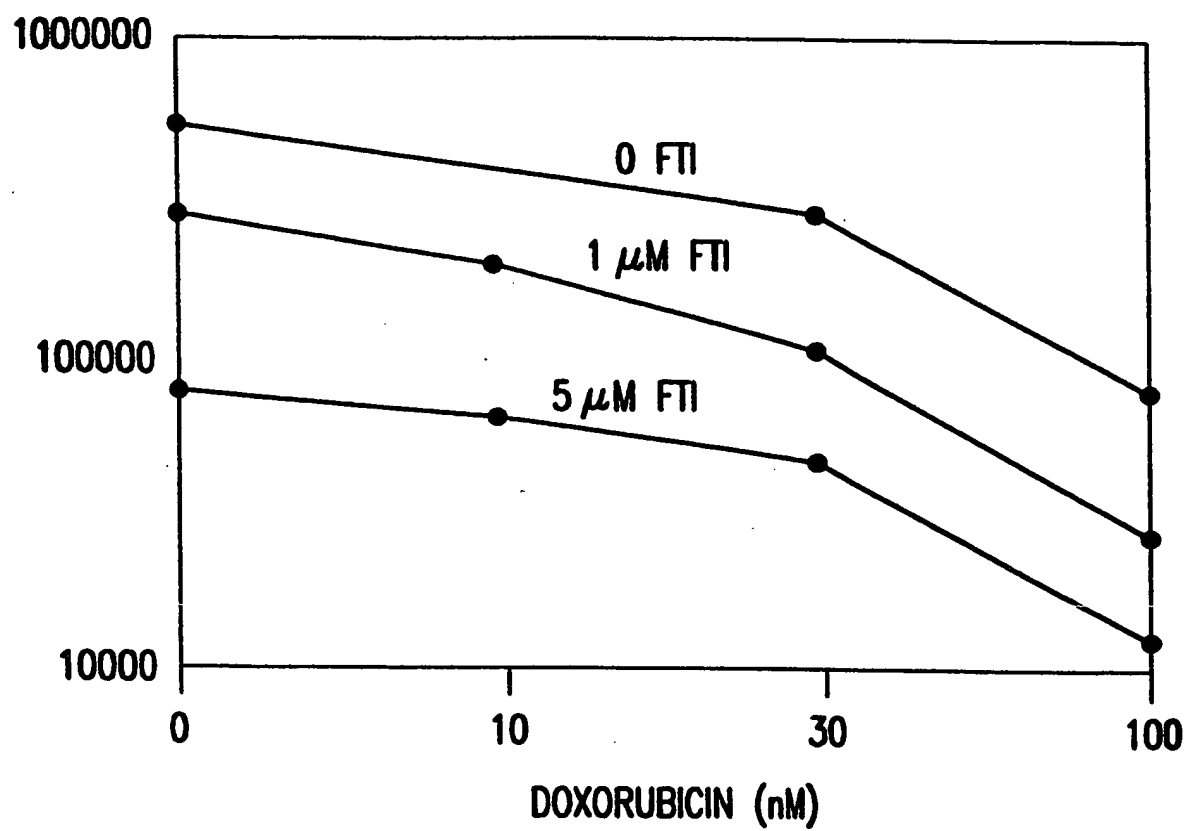


FIG.18

**Title: A METHOD OF TREATING CANCER**

**Inventors: Neal Rosen, Laura Sepp-Lorenzino, Mark  
M. Moasser, Allen I. Oliff, Jackson B. Gibbs, Nancy  
Kohl, Samuel L. Graham and George Prendergast**

**Serial No. 09/445,054**

**Case No.: Merck 19962YP**

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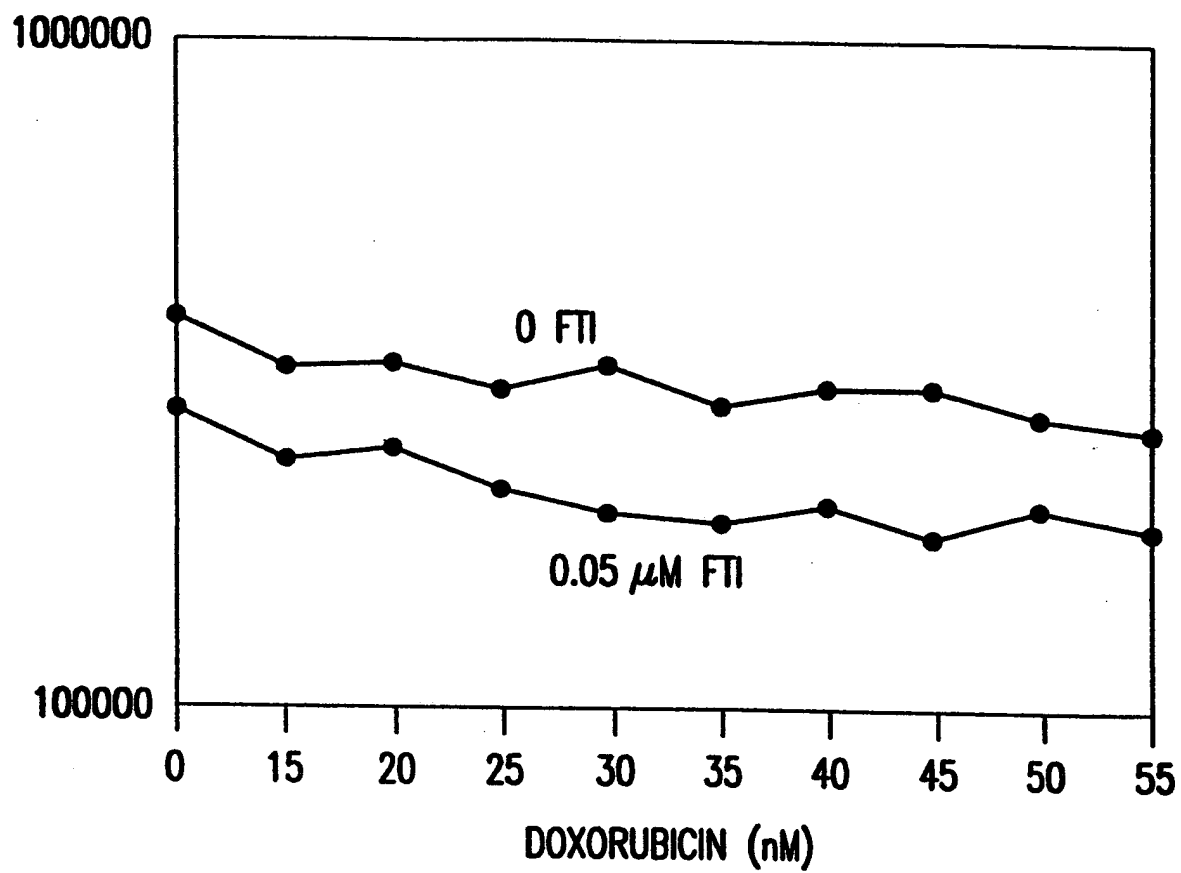


FIG.19

**Title: A METHOD OF TREATING CANCER**

**Inventors: Neal Rosen, Laura Sepp-Lorenzino, Mark  
M. Moasser, Allen I. Oliff, Jackson B. Gibbs, Nancy  
Kohl, Samuel L. Graham and George Prendergast**

**Serial No. 09/445,054**

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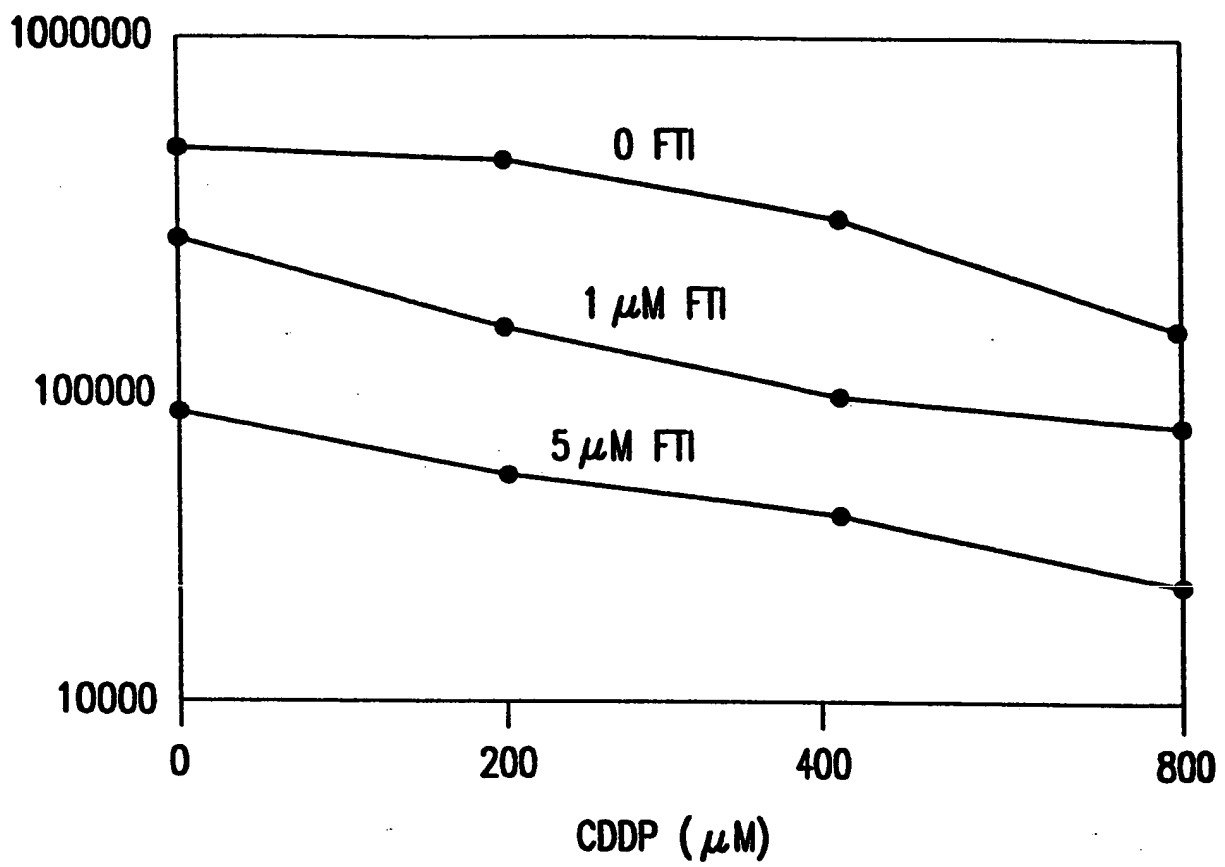


FIG.20

**Title: A METHOD OF TREATING CANCER**

**Inventors: Neal Rosen, Laura Sepp-Lorenzino, Mark  
M. Moasser, Allen I. Oliff, Jackson B. Gibbs, Nancy  
Kohl, Samuel L. Graham and George Prendergast**

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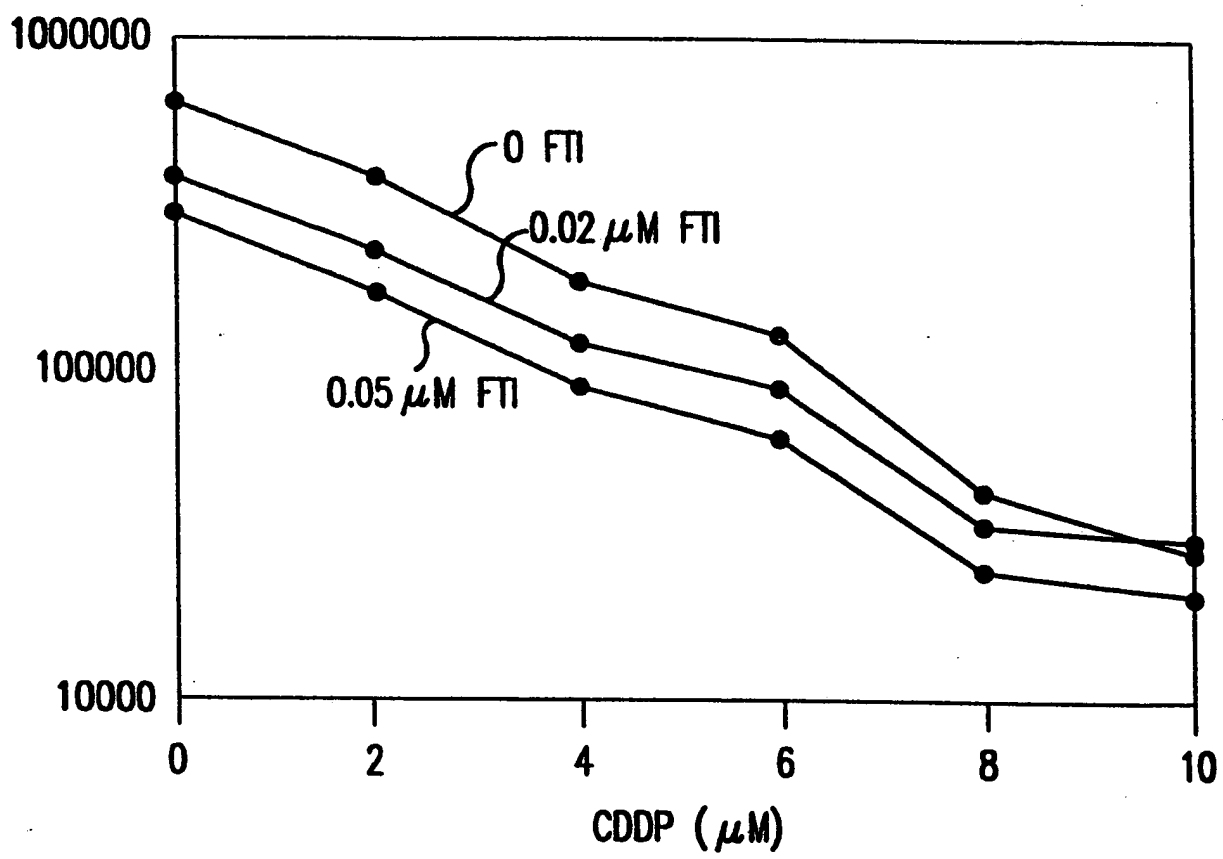


FIG.21

**Title: A METHOD OF TREATING CANCER**

**Inventors: Neal Rosen, Laura Sepp-Lorenzino, Mark  
M. Moasser, Allen I. Oliff, Jackson B. Gibbs, Nancy  
Kohl, Samuel L. Graham and George Prendergast**

**Serial No. 09/445,054**

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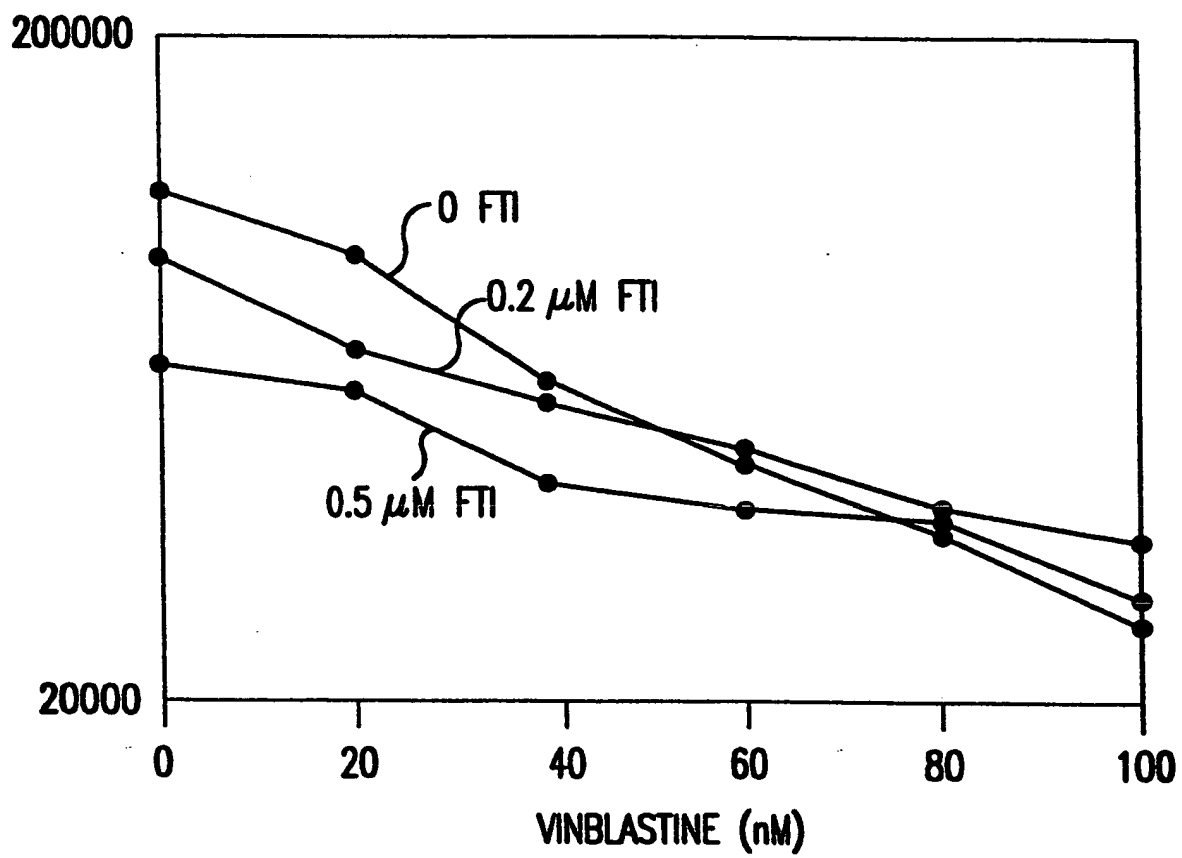


FIG.22

**Title: A METHOD OF TREATING CANCER**

**Inventors: Neal Rosen, Laura Sepp-Lorenzino, Mark  
M. Moasser, Allen I. Oliff, Jackson B. Gibbs, Nancy  
Kohl, Samuel L. Graham and George Prendergast**

**Serial No. 09/445,054**

**Case No.: Merck 19962YP**

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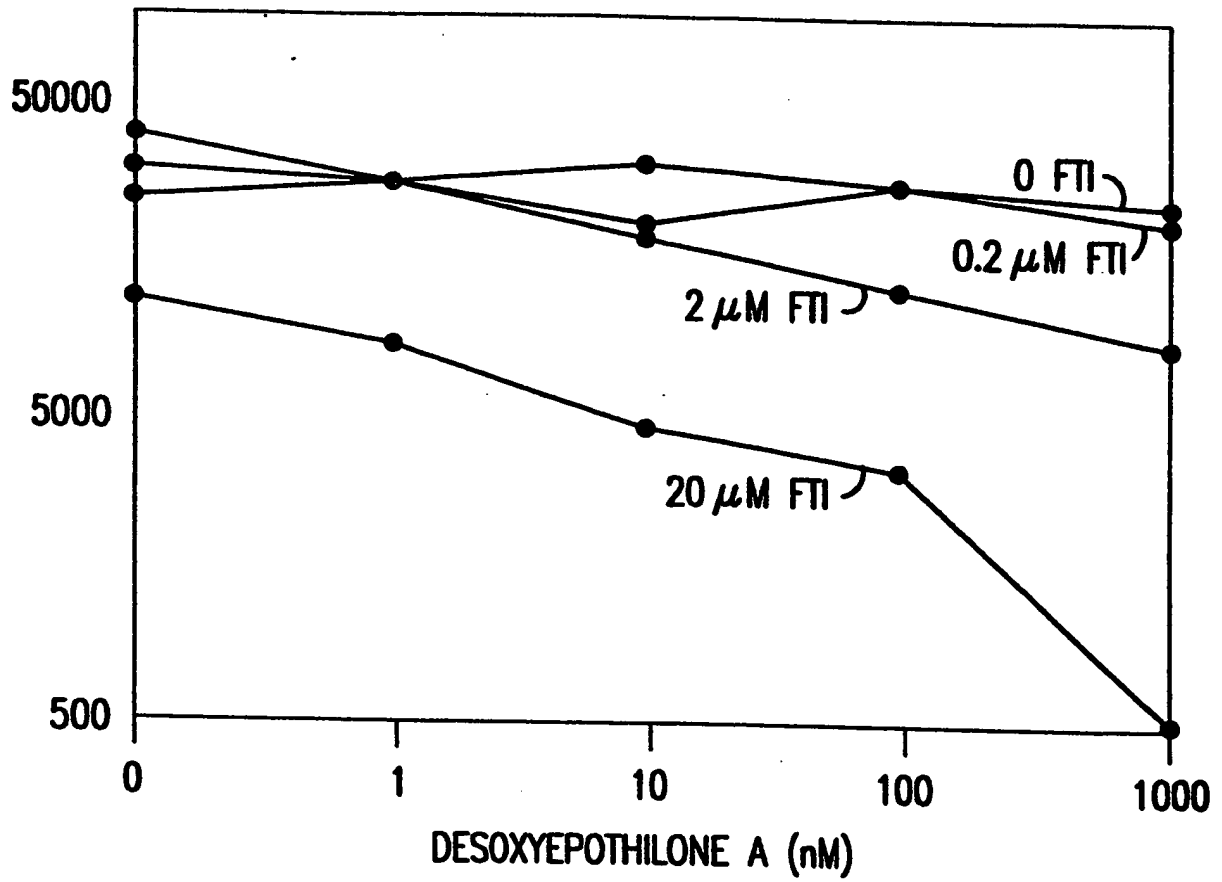


FIG.23

**Title: A METHOD OF TREATING CANCER**

**Inventors: Neal Rosen, Laura Sepp-Lorenzino, Mark  
M. Moasser, Allen I. Oliff, Jackson B. Gibbs, Nancy  
Kohl, Samuel L. Graham and George Prendergast**

**Serial No. 09/445,054**

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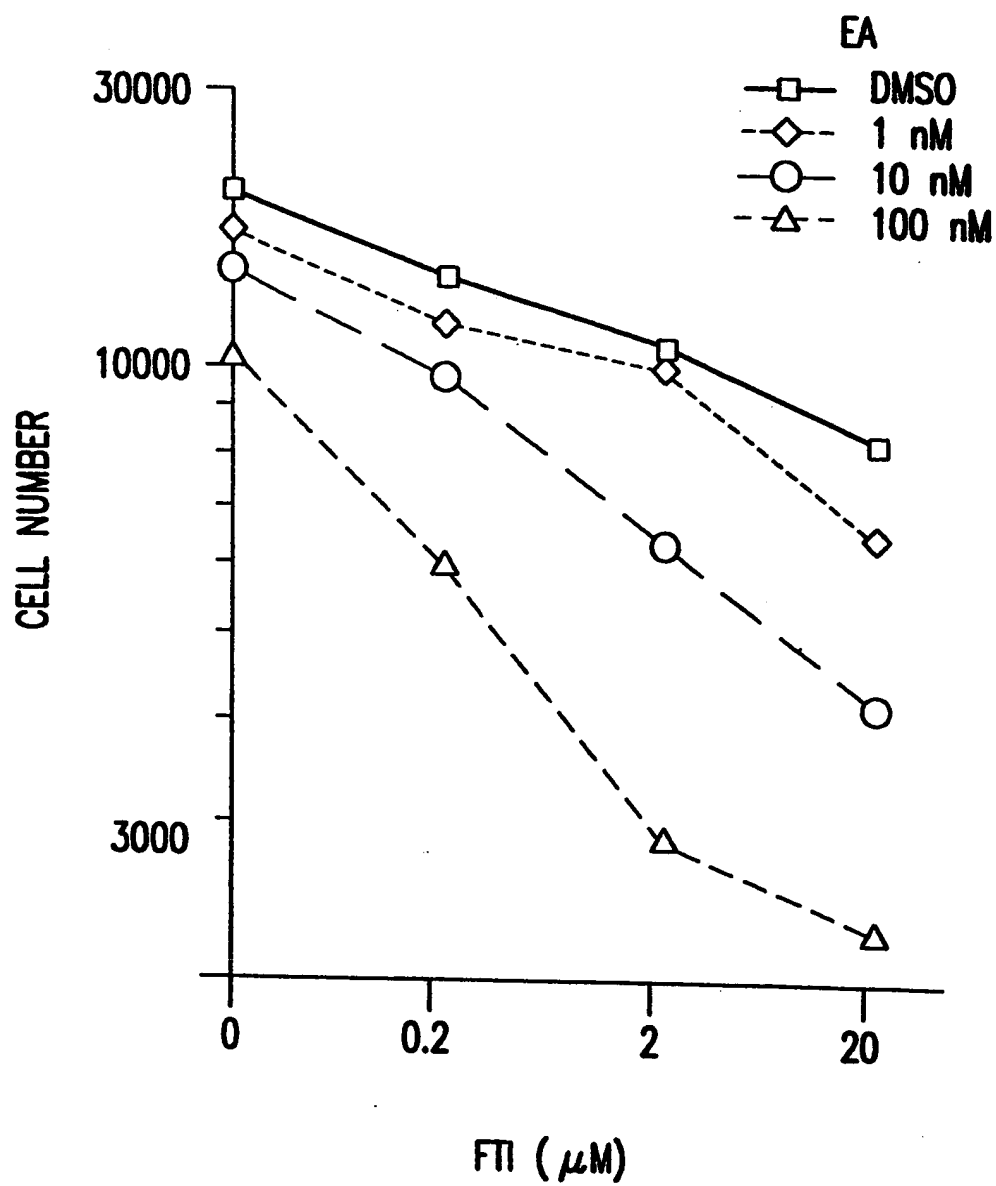


FIG.24

**Title: A METHOD OF TREATING CANCER**

**Inventors: Neal Rosen, Laura Sepp-Lorenzino, Mark  
M. Moasser, Allen I. Oliff, Jackson B. Gibbs, Nancy  
Kohl, Samuel L. Graham and George Prendergast**

**Serial No. 09/445,054**

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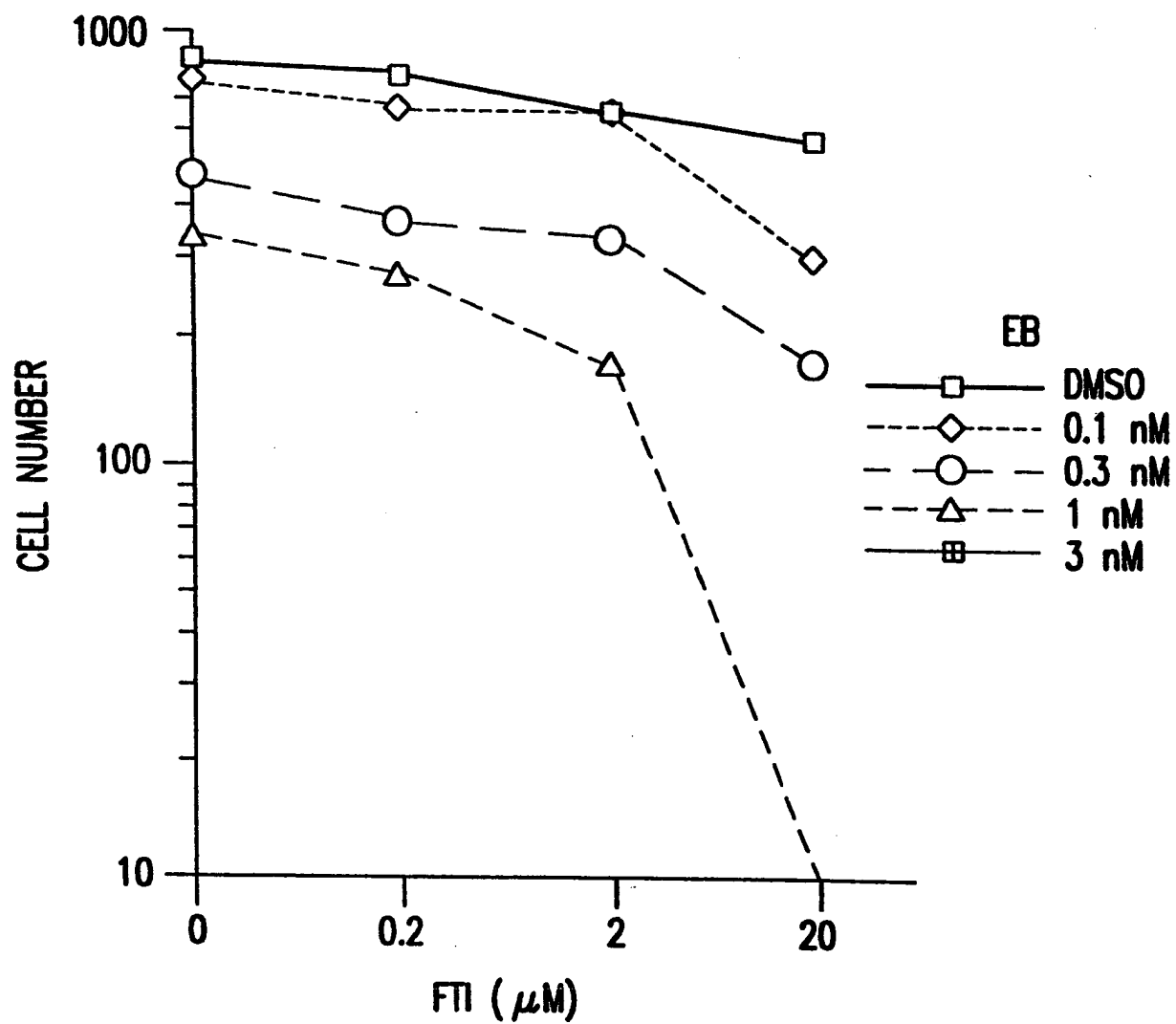


FIG.25

**Title: A METHOD OF TREATING CANCER**

**Inventors: Neal Rosen, Laura Sepp-Lorenzino, Mark  
M. Moasser, Allen I. Oliff, Jackson B. Gibbs, Nancy  
Kohl, Samuel L. Graham and George Prendergast**

**Serial No. 09/445,054**

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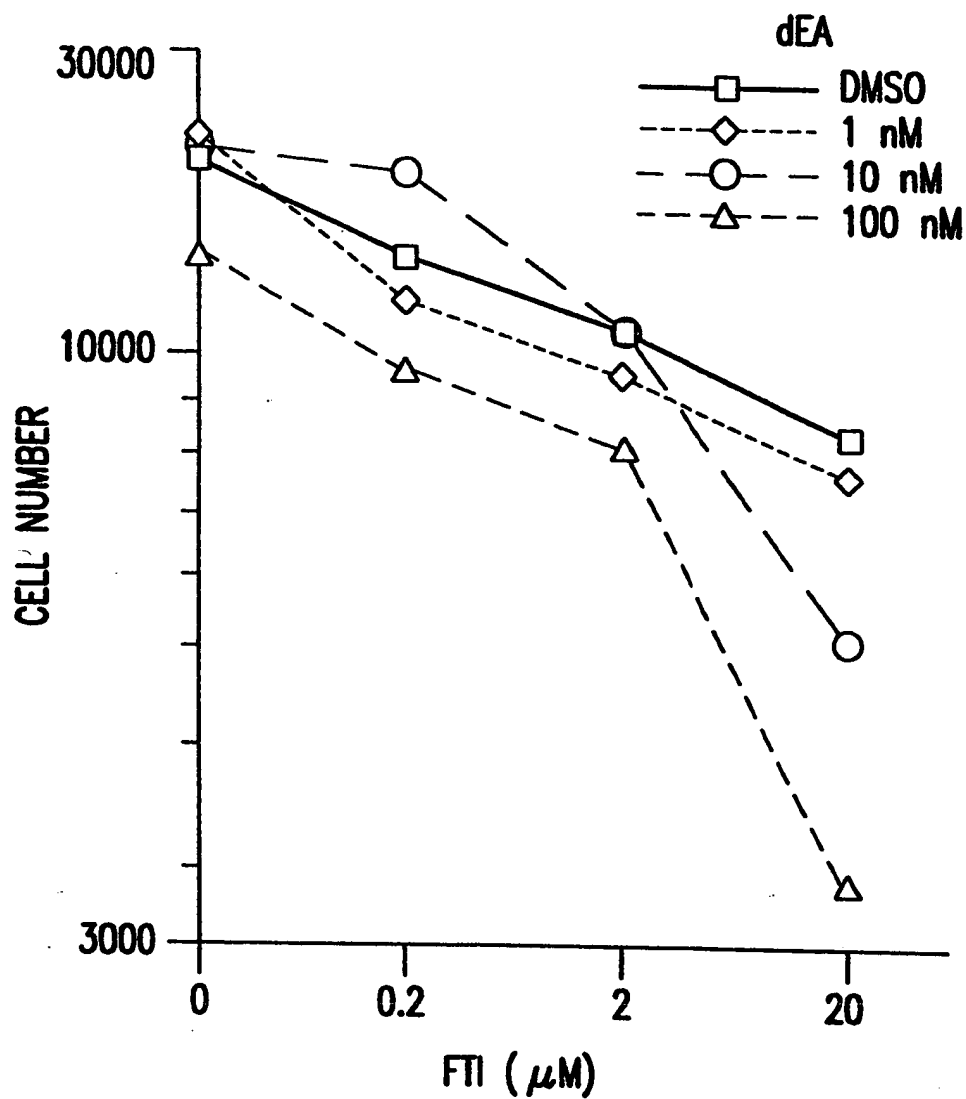


FIG.26

**Title: A METHOD OF TREATING CANCER**

**Inventors: Neal Rosen, Laura Sepp-Lorenzino, Mark  
M. Moasser, Allen I. Oliff, Jackson B. Gibbs, Nancy  
Kohl, Samuel L. Graham and George Prendergast**

**Serial No. 09/445,054**

**Case No.: Merck 19962YP**

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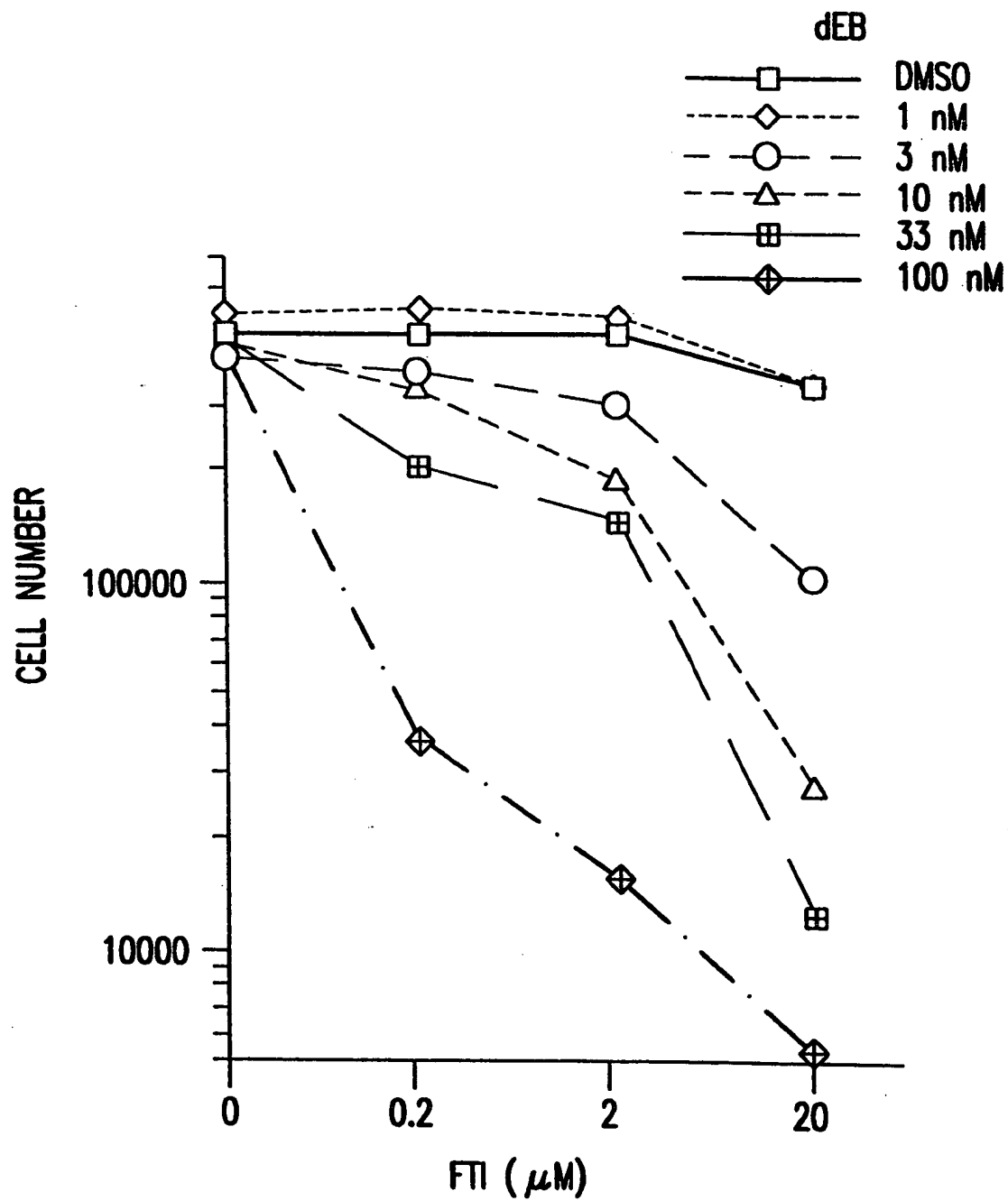


FIG.27

**Title: A METHOD OF TREATING CANCER**

**Inventors: Neal Rosen, Laura Sepp-Lorenzino, Mark  
M. Moasser, Allen I. Oliff, Jackson B. Gibbs, Nancy  
Kohl, Samuel L. Graham and George Prendergast**

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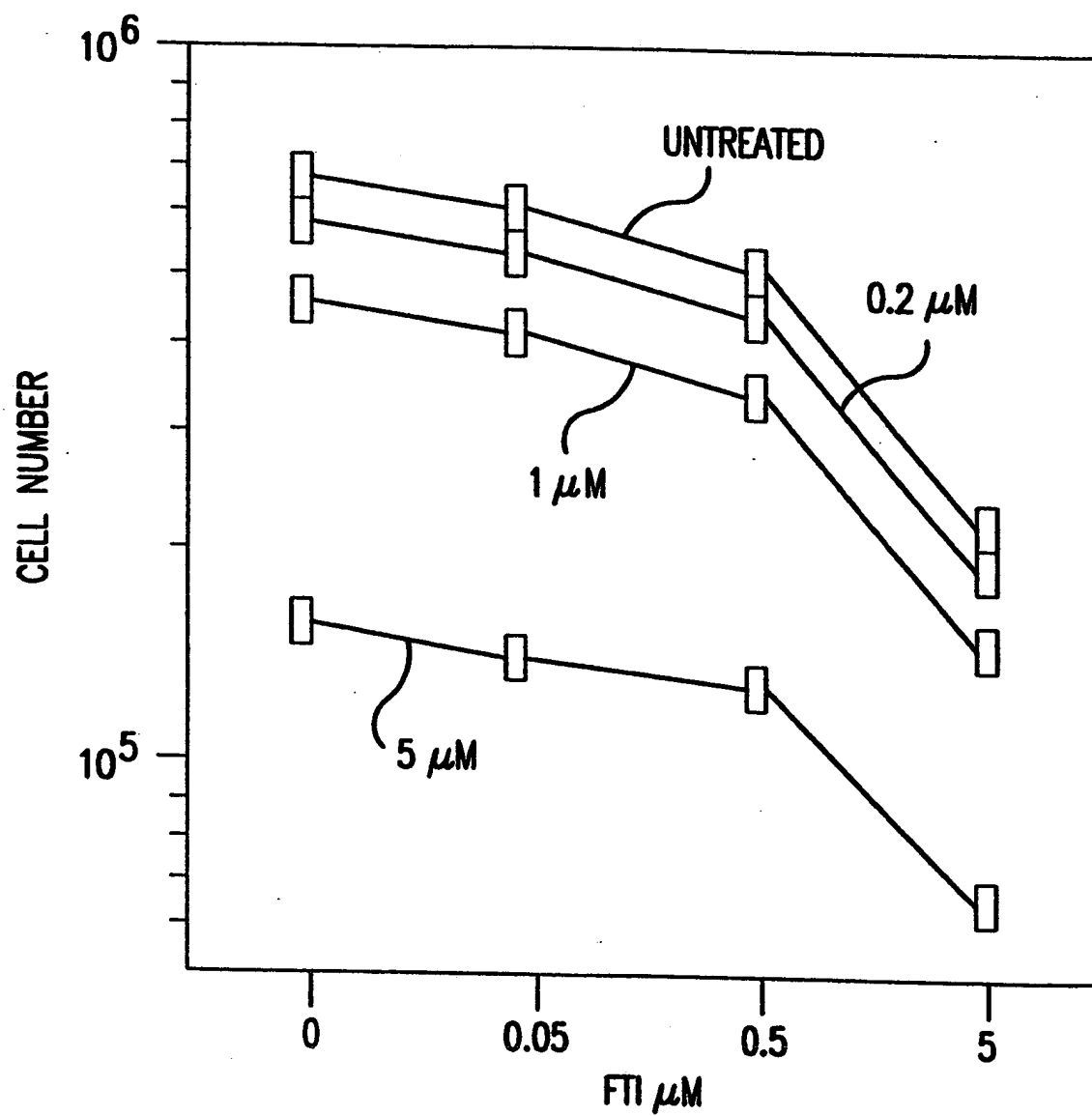


FIG.28

**Title: A METHOD OF TREATING CANCER**

**Inventors: Neal Rosen, Laura Sepp-Lorenzino, Mark  
M. Moasser, Allen L. Oliff, Jackson B. Gibbs, Nancy  
Kohl, Samuel L. Graham and George Prendergast**

**Serial No. 09/445,054**

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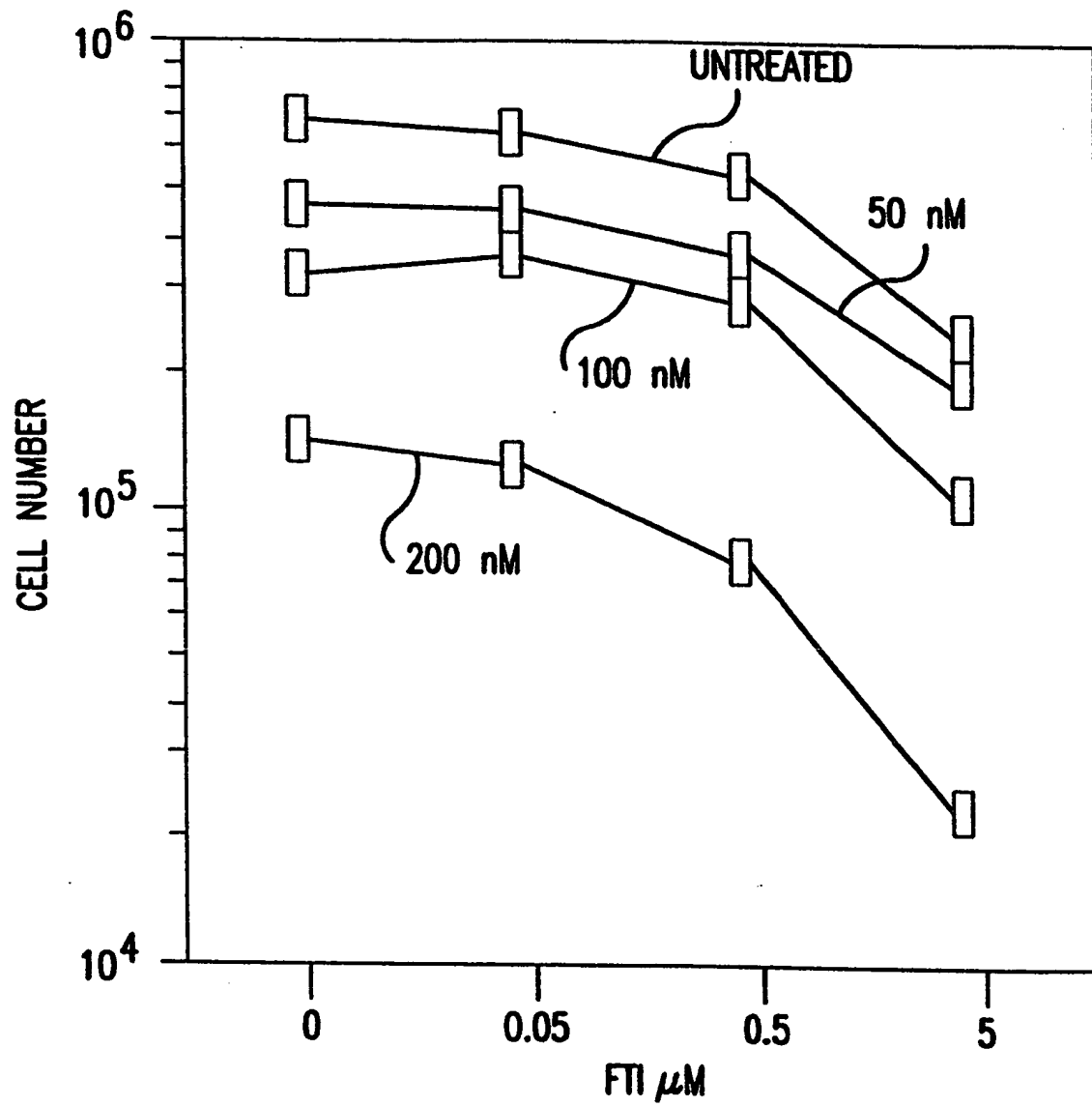


FIG.29

**Title: A METHOD OF TREATING CANCER**

**Inventors:** Neal Rosen, Laura Sepp-Lorenzino, Mark  
M. Moasser, Allen I. Oliff, Jackson B. Gibbs, Nancy  
Kohl, Samuel L. Graham and George Prendergast

**Serial No.** 09/445,054

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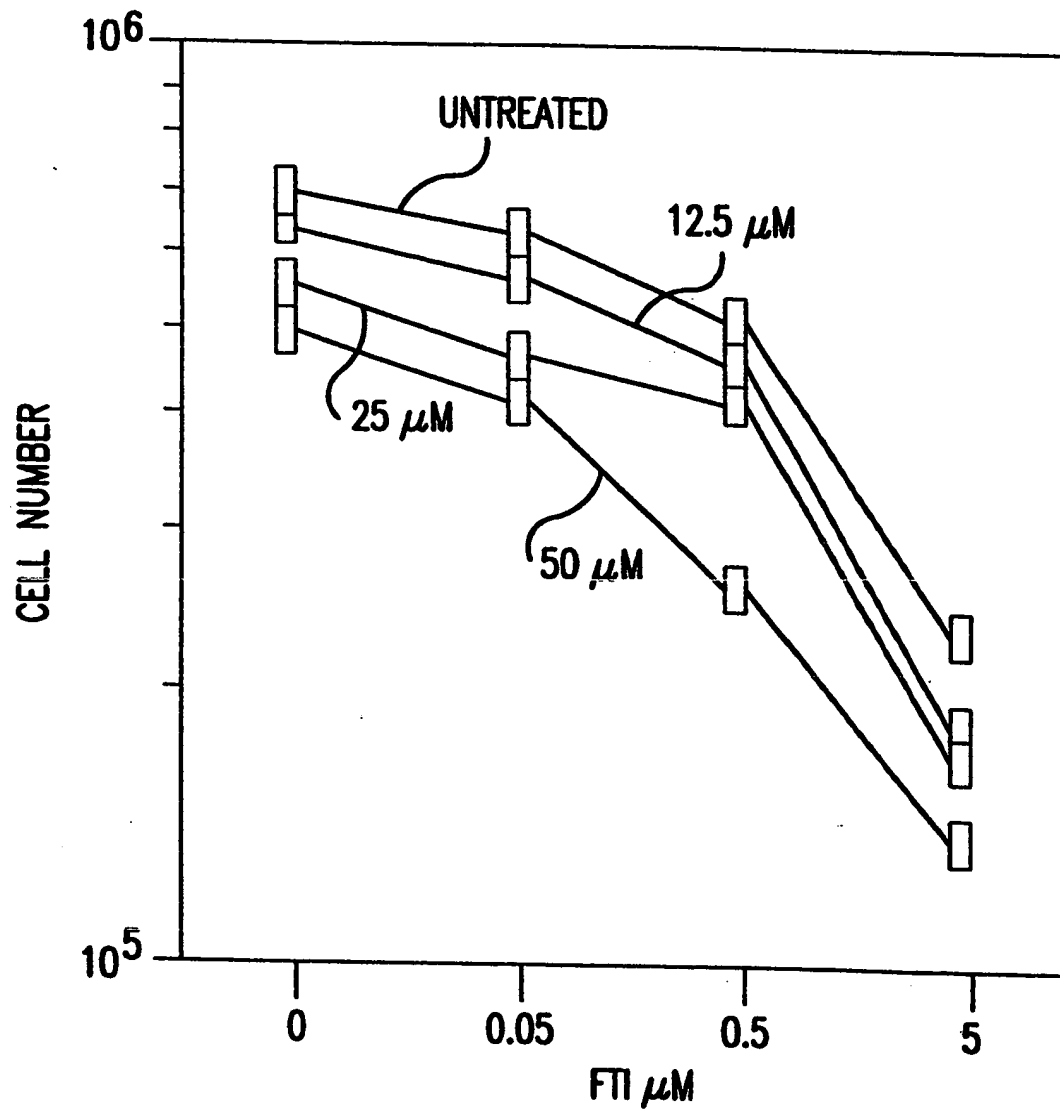


FIG.30

**Title: A METHOD OF TREATING CANCER**

**Inventors: Neal Rosen, Laura Sepp-Lorenzino, Mark  
M. Moasser, Allen I. Oliff, Jackson B. Gibbs, Nancy  
Kohl, Samuel L. Graham and George Prendergast**

**Serial No. 09/445,054**

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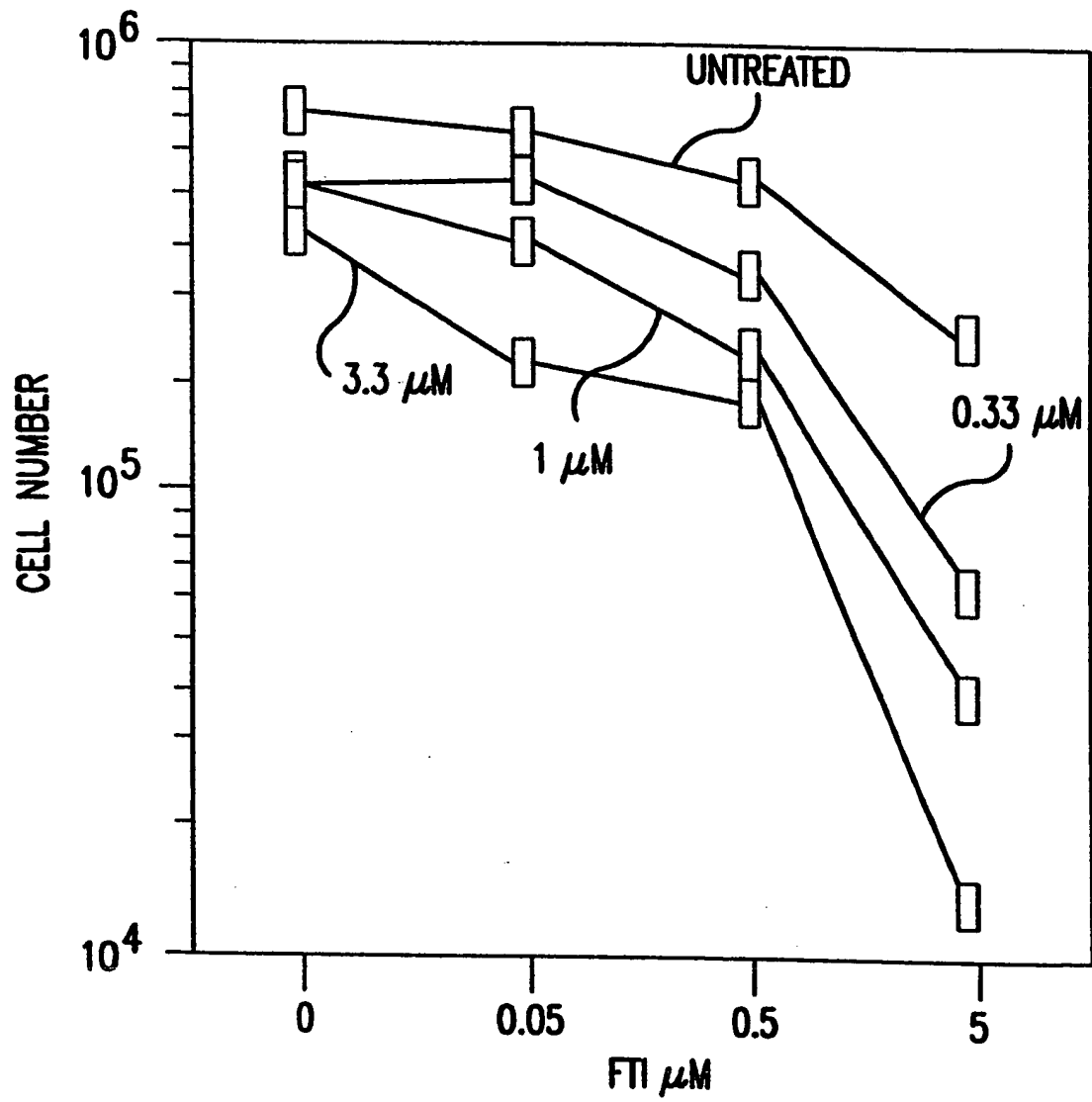


FIG.31

Title: A METHOD OF TREATING CANCER

Inventors: Neal Rosen, Laura Sepp-Lorenzino, Mark  
M. Moasser, Allen I. Oliff, Jackson B. Gibbs, Nancy  
Kohl, Samuel L. Graham and George Prendergast

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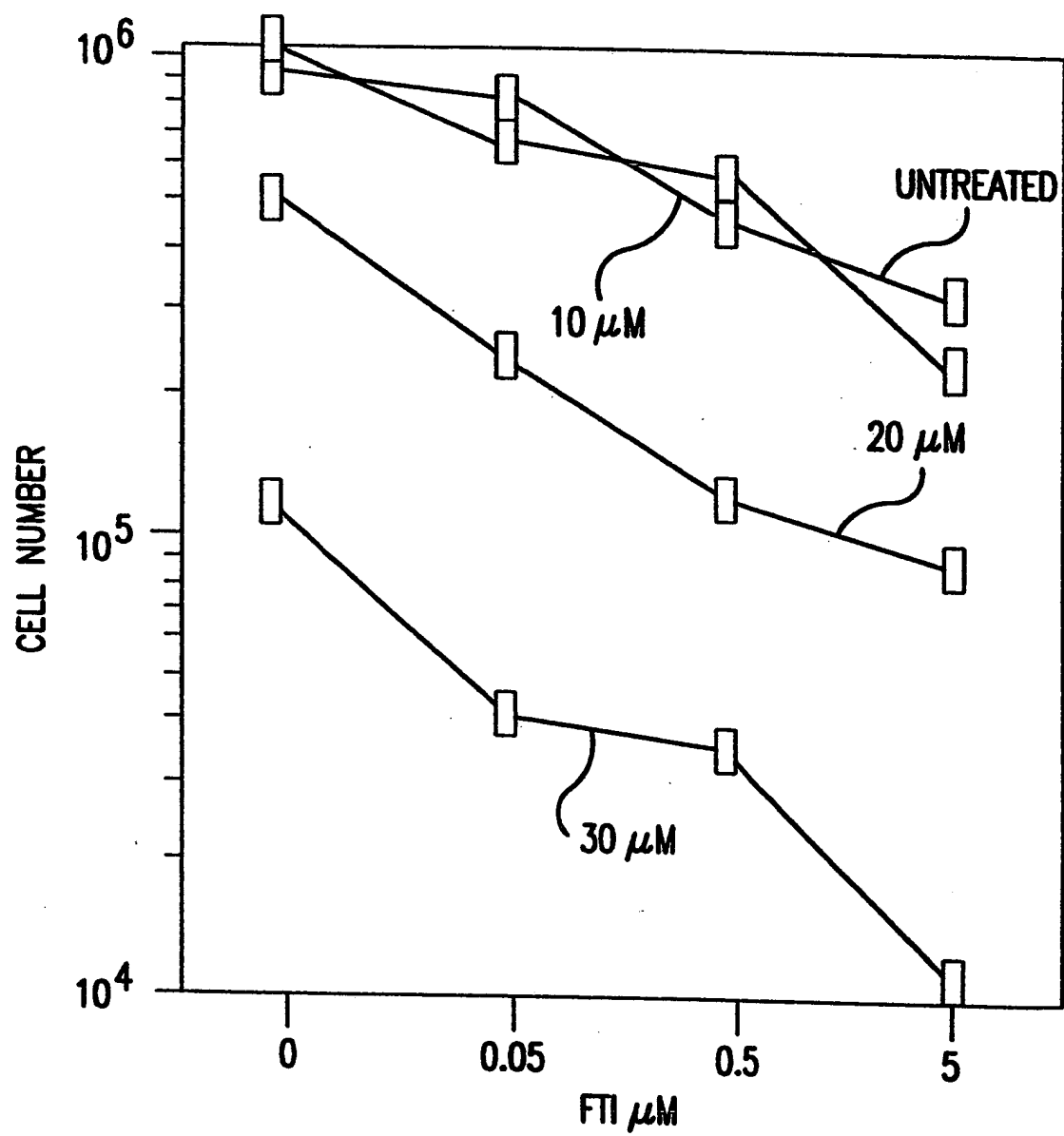


FIG.32

Title: A METHOD OF TREATING CANCER

Inventors: Neal Rosen, Laura Sepp-Lorenzino, Mark  
M. Moasser, Allen I. Oliff, Jackson B. Gibbs, Nancy  
Kohl, Samuel L. Graham and George Prendergast

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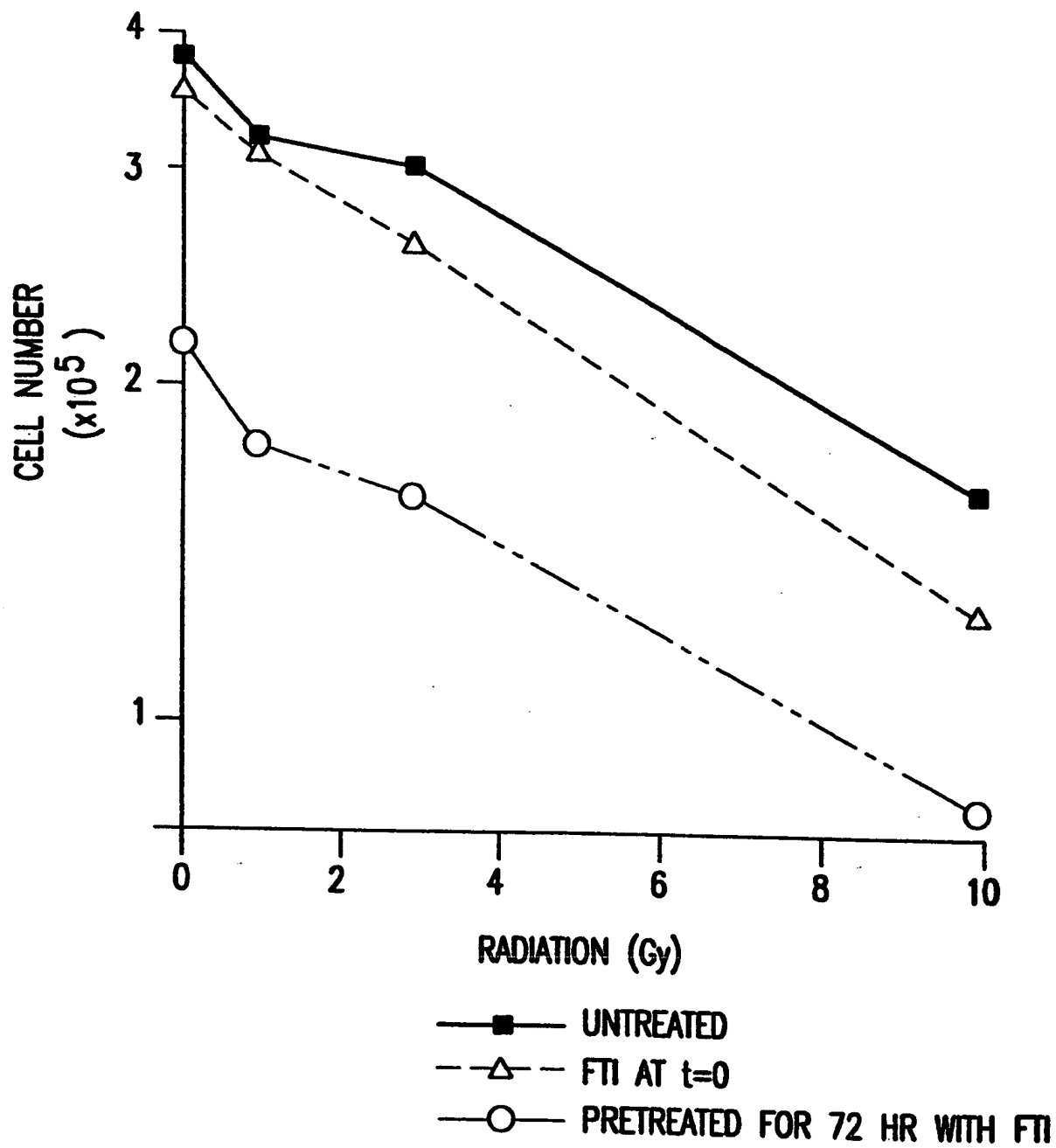


FIG.33

**Title: A METHOD OF TREATING CANCER**

**Inventors: Neal Rosen, Laura Sepp-Lorenzino, Mark  
M. Moasser, Allen I. Oliff, Jackson B. Gibbs, Nancy  
Kohl, Samuel L. Graham and George Prendergast**

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